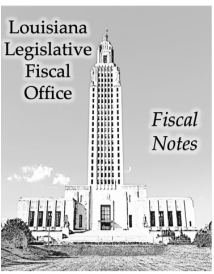


**LEGISLATIVE FISCAL OFFICE**  
**Fiscal Note**



Fiscal Note On: **SB 3** SLS 242ES 10  
 Bill Text Version: **ORIGINAL**  
 Opp. Chamb. Action:  
 Proposed Amd.:  
 Sub. Bill For.:

<b>Date:</b> February 17, 2024 5:30 PM	<b>Author:</b> CLOUD
<b>Dept./Agy.:</b> Corrections, Youth Services, and LCLE	
<b>Subject:</b> Lowers Age for Consideration as Juvenile	<b>Analyst:</b> Daniel Druilhet

PROBATION/PAROLE OR SEE FISC NOTE GF EX Page 1 of 2  
 Lowers the age for consideration as a juvenile in the criminal justice system. (gov sig) (2/3 - CA5s19) (Item #11)

Current law defines child as (1) any person under the age of 21 who commits a delinquent act before attaining 17 years of age, (2) beginning March 1, 2019, any person under the age of 21, who commits a delinquent act on or after March 1, 2019, when the act is not a crime of violence and before attaining 18 years of age, and (3) after June 30, 2020, any person under the age of 21, who commits a delinquent act on or after July 1, 2020, and before attaining 18 years of age. Current law provides that the court is required to hold a hearing within 3 days after the child's entry into the juvenile detention center or shelter care facility. Proposed law amends current law to define child as (1) before March 1, 2019, and after March 1, 2024, any person under the age of 21 who commits a delinquent act either before attaining 17 years of age; (2) from March 1, 2019, until June 30, 2020, any person under the age of 21 who commits a delinquent act not a crime of violence and before attaining 18 years of age; (3) from July 1, 2020, until March 1, 2024, any person under the age of 21 who commits a delinquent act on or after July 1, 2020, through March 1, 2024, and before attaining 18 years of age; amends current law to remove the provision that mandates that a child 17 years of age is subject to the exclusive criminal jurisdiction of the appropriate court.

EXPENDITURES	2024-25	2025-26	2026-27	2027-28	2028-29	5 -YEAR TOTAL
State Gen. Fd.	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
<b>Annual Total</b>						
REVENUES	2024-25	2025-26	2026-27	2027-28	2028-29	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	DECREASE	DECREASE	DECREASE	DECREASE	DECREASE	
Local Funds	DECREASE	DECREASE	DECREASE	DECREASE	DECREASE	
<b>Annual Total</b>						

**EXPENDITURE EXPLANATION**

Proposed law will likely result in an indeterminable decrease in SGF expenditures to the Office of Juvenile Justice and city and parish governments, an increase in local expenditures to Sheriff's departments, and an increase in SGF expenditures to the Louisiana Commission on Law Enforcement. Overall, net expenditures on a state and local level are indeterminable.

**Office of Juvenile Justice**

Proposed law will likely result in an indeterminable decrease in SGF expenditures to the Office of Juvenile Justice (OJJ), as it would result in a lower number of youth requiring services from OJJ. The enactment of proposed law will reduce the youth population in non-secure and secure care, which will reduce the pending placement days of youth following adjudication and result in an indeterminable decrease in expenditures to the Local Housing of Juvenile Offenders budget. Reducing the number of youth in supervision would also provide reduced caseloads of Probation and Parole Officers in OJJ. However, the reduction in expenditures would not be realized until those currently under the care of OJJ are released over the next couple of fiscal years.

**Louisiana Commission on Law Enforcement**

Proposed law will result in an increase in SGF expenditures for the Louisiana Commission on Law Enforcement (LCLE), as it will impact the manner in which it tracks and reports data on crime via its LEMIS (Law Enforcement Management Information System), LIBRS (Louisiana Incident Based Crime Reporting), and TrackCrime reporting systems. LCLE advises that minor changes and upgrades would be needed for LEMIS, but that major changes will be necessary to the LIBRS system to segregate data being collected on juvenile and adult crime statistics. LCLE also will have to proceed through a validation period to ensure that statistics being collected accurately reflect the intent of the statutory changes under proposed law. LCLE's IT vendor estimates that costs to reprogram the various data collection systems and conduct a validation period to identify and fix program errors would be in excess of \$300,000. The system upgrades and enhancements will be a one-time expenditure.


**CONTINUED ON PAGE 2**

**REVENUE EXPLANATION**

Proposed law will likely result in an indeterminable decrease in revenue to the Louisiana Commission on Law Enforcement (LCLE) and local jurisdictions, to the extent that LCLE's receipt and ability to distribute federal grant funds to local jurisdictions is reduced due to non-compliance with the sight and sound regulations set forth in federal grant requirements.

**CONTINUED ON PAGE 2**

<u>Senate</u>	<u>Dual Referral Rules</u>	<u>House</u>
<input checked="" type="checkbox"/> 13.5.1 >= \$100,000 Annual Fiscal Cost {S & H}		<input checked="" type="checkbox"/> 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}
<input type="checkbox"/> 13.5.2 >= \$500,000 Annual Tax or Fee Change {S & H}		<input type="checkbox"/> 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

  
**Patrice Thomas**  
**Deputy Fiscal Officer**



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**CONTINUED EXPLANATION from page one:**

**[CONTINUED EXPENDITURE EXPLANATION FROM PAGE 1]**

**Local Expenditures**

Proposed law will likely result in an indeterminable decrease in local expenditures for city and parish governments to the extent these entities are no longer required to house 17 year olds in juvenile detention centers during pre-trial proceedings after March 1, 2024. Under current law, cities and parishes are required to house 17 year olds in a juvenile detention center prior to trial (some exceptions provided). Local jurisdictions report paying approximately \$200 to \$250 per juvenile per day to juvenile detention centers, with one out of state facility charging \$600 per juvenile per day. In addition to the daily housing rate, local jurisdictions must also pay for travel costs to transport juveniles to and from the juvenile detention center for court appearances.

**Sheriffs**

Proposed law will result in an indeterminable increase in expenditures to local Sheriff's departments to the extent they are required to house 17 year olds during pre-trial proceedings. The Louisiana Sheriffs' Association (LSA) reports that most Sheriff's departments do not currently house juveniles because they are unable to keep the juveniles "sight and sound separated" as required under the Juvenile Justice and Delinquency Prevention Act (JJJPA). The LSA reports there will likely be increased costs for local Sheriffs for renovations to existing facilities in order to house 17 year olds and be in compliance with federal law. The impact is indeterminable as the LSA and local sheriffs are currently unable to determine the scope of the renovations.

**[CONTINUED REVENUE EXPLANATION FROM PAGE 1]**

Proposed law will result in a decrease in federal grant funding received by the Louisiana Commission on Law Enforcement through the Juvenile Justice and Delinquency Prevention Act (JJJPA) Formula Grants Program. LCLE previously reported that it receives approximately \$500,000 - \$750,000 annually through this program. The grant is to assist states in the development of more effective education, training, research, prevention, diversion, treatment, and rehabilitation programs in the area of juvenile delinquency and programs to improve the juvenile justice system. The JJJPA and corresponding administrative rules and regulations require that juveniles alleged to be or found to be delinquent will not be detained or confined in any institution in which they have sight and sound contact with adult inmates. Any state not in compliance with the JJJPA shall have its grant funding reduced by not less than 20% for each core requirement violated. The proposed legislation may reduce the funding from the JJJPA program by 20% if Louisiana is found to not be in compliance with the sight and sound regulations set forth in the JJJPA.

For informational purposes, the Department of Public Safety & Corrections - Youth Services reports providing services to 1,897 juveniles as of 2/16/24 (17 year old youth - post adjudication) since Raise the Age legislation was passed. The juveniles were placed under supervision and/or care as listed below.

	Supervision	Non-Secure Care	Secure Care
FY 20 (Non-Violent Only)	438	53	29
FY 21 (Full Implementation)	412	46	44
FY 22	435	56	42
FY 23	530	53	38
By 24 (as of 2/16/24)	282	34	19
<b>Total Youth Served</b>	<b>1,897</b>	<b>242</b>	<b>172</b>

Senate  
 13.5.1 >= \$100,000 Annual Fiscal Cost {S & H}  
 13.5.2 >= \$500,000 Annual Tax or Fee Change {S & H}

House  
 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}  
 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

**Patrice Thomas**  
 Deputy Fiscal Officer