



LEGISLATIVE FISCAL OFFICE

Fiscal Note

Fiscal Note On: HB 2018 HLS 03- 2873

Bill Text Version: ENGROSSED

Opp Chamb Action:

Sub Bill For: HB 1683

Proposed Amd:

Date: May 20, 2003 3:12 PM Author: LANDRIEU, ET AL
Dept/Agy: Subject: Juvenile Justice Analyst: Kristy Freeman

JUVENILES EG SEE FISC NOTE GF EX Page 1 of 2
PROVIDES WITH RESPECT TO REFORM OF JUVENILE JUSTICE

The proposed legislation, which will be known as the "Juvenile Justice Reform Act of 2003", provides that by December 31, 2004 Swanson Correctional Center for Youth-Madison Parish Unit (SCCY-MPU) at Tallulah, Louisiana no longer be used as a juvenile facility. Proposed law requires the department to develop a plan, which shall be submitted on or before August 1, 2003, to include a specific date after which youths committed to the department shall no longer be assigned to SCCY-MPU, recommendations for use of monies used for the operation of SCCY-MPU, and may include recommendations for alternative use of the facility. Proposed law creates the Juvenile Justice Reform Act Implementation Commission composed of five members, which shall address the issue of the creation of a single state entity for providing services to children and their families and the closure of SCCY-MPU as a facility for juveniles. The commission shall provide their findings to the legislature and the governor and adopt a plan no later than March 1, 2004 for consideration during the 2004 Regular Session of the Legislature.

SEE PAGE 2 FOR CONTINUED EXPLANATION

Table with columns: EXPENDITURES, 2003-04, 2004-05, 2005-06, 2006-07, 2007-08, 5 YEAR TOTAL. Rows include State General Fd., Agy. Self-Gen., Stat. Deds./Other, Federal Funds, Local Funds, and Annual Total.

EXPENDITURE EXPLANATION:

The fiscal impact of this legislation is indeterminable due to the numerous topics addressed within the components of the bill that may either increase or decrease state costs. The ultimate net impact of these various issues cannot be reasonably estimated at this time. The dual referral of this legislation reflects the potential impact of additional costs reaching or exceeding \$500,000 in a given fiscal year. Factors that need to be considered when determining the fiscal impact of this legislation are as follows:

1) The Juvenile Justice Reform Act Implementation Commission shall address the issue of the creation of a single state entity for providing services to children and their families and the closure of SCCY-MPU as a facility for juveniles. The commission shall provide their findings to the legislature and the governor and develop a plan no later than March 1, 2004 for consideration during the 2004 Regular Session of the Legislature. The commission may enter into any contract for the purpose of facilitating any studies, reviews, or analysis useful to it and for requesting, utilizing, and obtaining advice from any and all public sources and from any and all private sources. It is estimated that approximately \$350,000 will be needed for the purposes of the commission.

2) The State Board of Elementary and Secondary Education shall formulate, develop, and recommend a model master plan for improving behavior and discipline within schools. According to the Department of Education, it will cost approximately \$215,000 for FY 2003-04 and \$115,000 in future fiscal years to formulate and develop a master plan for behavior in schools. Initial one-time costs will be \$125,000 for the development, data collection, and reporting for the Education Data Warehouse and \$25,000 thereafter for on going maintenance. \$90,000 of the funding will provide for salary, benefits, travel, training materials and supplies.

3) The proposed legislation provides that by December 31, 2004 SCCY-MPU no longer be used as a juvenile facility. The department shall develop a comprehensive plan, which shall be submitted on or before August 1, 2003, to include a specific date after which youths committed to the department shall no longer be assigned to SCCY-MPU, recommendations for use of monies used for the operation of SCCY-MPU, and may include recommendations for alternative uses of the facility. To the extent the department could place these juveniles in "contract type" services instead of other juvenile institutions, the cost for juvenile care could decrease. However, additional funding might be needed to create more community programs.

SEE PAGE 2 FOR CONTINUED EXPENDITURE EXPLANATION

REVENUE EXPLANATION:

The proposed legislation establishes a fund, the Louisiana Children, Youth, and Families Investment Fund, in the state Treasury that shall be administered financially by the Division of Administration and the Cabinet. The fund shall be comprised of monies from the savings from the reduction of youth in secure facilities. the receipt of funds from private foundations and trusts. (PG. 2)

Senate House
[] 13.5.1 >= \$500,000 Annual Fiscal Cost [] 6.8(F) >= \$500,000 Annual Fiscal Cost
[] 13.5.2 >= \$500,000 Annual Tax or Fee Change [] 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease per year

Robert E. Hosse
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ECONOMIST/SECTION DIRECTOR

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CONTINUED EXPLANATION (continued from page one) :

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CONTINUED PURPOSE OF BILL:

The proposed legislation creates the Louisiana Juvenile Risk Review Panel within the Department of Corrections to evaluate the risk of danger posed by juveniles in order to make a decision as to whether a juvenile can be transferred to a less restrictive setting. The secretary of the Department of Corrections shall be responsible for the creation of not more than two risk review panels and the five member panel shall consist of a board certified psychologist, the warden where the offender is incarcerated, the secretary of the Department of Corrections or his designee, a retired judge, and a juvenile probation or parole officer appointed by the governor. When the panel determines that a juvenile offender will not present a risk of danger to society, the panel shall order that the juvenile be moved from a secure institution to a less restrictive setting and it shall be a final and binding decision. Proposed law provides that the new single state entity, once formed, shall develop and promulgate uniform standards and licensing procedures for juvenile detention facilities and shall develop a strategy for interagency agreements and cooperation regarding the sharing of data concerning the juvenile justice system. Proposed law creates the Education/Juvenile Justice Partnership Act that requires BESE to formulate, develop, and recommend to the commission a model master plan for improving behavior and discipline within schools. Proposed law extends the sunset provision of the Children's Cabinet, which is set to end on August 15, 2003, to August 15, 2008. Proposed law charges the cabinet with the additional duty of developing and recommending by December 31, 2003 a plan for reforming the way in which juvenile justice services are delivered to children and families and may address plans for a centralized intake system, a coordinated system of specially trained and certified case managers, a voucher system for assessing services, a system for funding community-based services, identification of funds and reimbursement for private providers. Proposed law creates the Children's Cabinet Research Council to identify and communicate to university researchers the research needs of the cabinet and the Louisiana Juvenile Justice Planning and Coordination Board. Proposed law creates the Louisiana Juvenile Justice Planning and Coordination Board as an interim, planning, and coordination board of the Children's Cabinet. Proposed law develops a plan for delivery of services in the state's regional service areas. Proposed law creates within the state treasury the Louisiana Children, Youth, and Families Investment Fund to be administered financially by the Division of Administration in collaboration with the cabinet. Proposed law creates the Community-based, School-based, and Regionally based Sanctions and Services Grant Program.

CONTINUED EXPENDITURE EXPLANATION:

4) The creation of two risk review panels set up to recommend the transfer of certain nonviolent inmates should serve to reduce the amount of state general fund expenditures associated with the incarceration of nonviolent offenders. There will be a cost savings attributable to those inmates that could be released or transferred by the risk review panels. The net effect of the savings will be the difference of the costs associated with the secure institution and the less restrictive setting. The exact amount of savings is hard to determine because the net decrease will be dependent on the number of juveniles that are eligible nonviolent offenders, the number of juveniles that actually pass the risk review panel, and the actual costs involved with the panel and supervision of the juveniles transferred to a less restrictive setting. Furthermore, there are costs associated with the risk review panel and the transferring of the juveniles to a less restrictive setting. The bill requires the panel to meet once a month and states members of the panel (except the secretary, warden, or psychologists employed with the department) may receive a per diem not to exceed \$40 and a mileage allowance for attendance of meetings.

5) This measure establishes a fund, Louisiana Children, Youth, and Families Investment Fund. Expenditures could increase to the extent monies are appropriated to the Fund. The Division of Administration and the Children's Cabinet, as appropriated by the Legislature, shall use monies in the fund for prevention and early intervention, alternative sanctions, consultation, training and technical assistance, and supplemental compensation of prosecutors and indigent defenders.

6) The proposed legislation creates two new entities, the Children's Cabinet Research Council and the Louisiana Juvenile Justice Planning and Coordination Board. The costs of the new entities are never addressed in the bill, except that all members serve without additional compensation or travel reimbursements. The LFO assumes that there will be costs associated with these boards. Funding could be needed for such things as developing a strategic planning process, creating a system of statistics and measures, and the research, analysis and development of a centralized intake system database via a website or web-based function.

CONTINUED REVENUE EXPLANATION:

the savings from restructuring executive branch departments, the matching funds provided by regional, local governmental, and private service providers, and the funding from specific legislative appropriations. The amount of monies that the above sources would generate is indeterminable by the Legislative Fiscal Office at this time.

Dual Referral Rules

Senate

- 13.5.1 >= \$500,000 Annual Fiscal Cost
- 13.5.2 >= \$500,000 Annual Tax or Fee Change

House

- 6.8(F) >= \$500,000 Annual Fiscal Cost
- 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease per year

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