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				Sub Bill For:	HB 1683		
HISCH Ne	nes			Proposed Amd:			
Date:	July 11, 2003	3:57 PM		Author	LANDRIEU, ET	AL	
Dept/Agy:							
Subject:	Juvenile Justice			Analyst	Kristy Freeman		
JUVENILES		EN SEE FISC NOTE GF EX See Note				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, which shall be placed within the office of the governor, 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** 

EXPENDITURES	<u>2003-04</u>	<u>2004-05</u>	2005-06	<u>2006-07</u>	2007-08	5 YEAR TOTAL
State General Fd.	SEE BELOW					
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Stat. Deds./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$ 0</u>
Annual Total						
REVENUES	<u>2003-04</u>	<u>2004-05</u>	<u>2005-06</u>	<u>2006-07</u>	<u>2007-08</u>	<u>5 YEAR TOTAL</u>
State General Fd.	UNKNOWN	UNKNOWN	UNKNOWN	UNKNOWN	UNKNOWN	
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$ 0
Stat. Deds./Other	UNKNOWN	UNKNOWN	UNKNOWN	UNKNOWN	UNKNOWN	
Federal Funds	UNKNOWN	UNKNOWN	UNKNOWN	UNKNOWN	UNKNOWN	
Local Funds	UNKNOWN	UNKNOWN	UNKNOWN	UNKNOWN	UNKNOWN	
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. 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. If it is determined state general fund will be needed, funds would have to be appropriated for the purpose 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 ongoing maintenance. Out of this funding, \$90,000 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 vouth in secure facilities. the receipt of funds from private foundations and trusts. (PG. 2)

SenateHouse13.5.1 >= \$500,000 Annual Fiscal Cost $\bigcirc 6.8(F) >= $500,000 Annual Fiscal Cost$ 13.5.2 >= \$500,000 Annual Tax or Fee Change $\bigcirc 6.8(G) >= $500,000 Tax or Fee Increase$ or a Net Fee Decreaseor a Net Fee Decrease

Robert E. Hasse

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CONTINUED	EXPLANATION (continued from page of	ne) : Page 2 of 2

#### CONTINUED PURPOSE OF BILL:

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The proposed legislation creates a placement review process within the Department of Corrections to assess the needs of the juvenile, evaluate the risk of danger posed by juveniles, and the community resources needed in order to make a decision as to whether a juvenile can be transferred to a less restrictive setting. When the assessment results in a determination that the juvenile be transferred to a less restrictive setting the department shall develop recommendations for placement, care and treatment in accordance with the assessment. The department's recommendations will be implemented unless the court, within fourteen legal days of receipt of the motion, rejects and denies the motion or schedules a hearing rejecting or modifying the recommendations of the department. 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. The measure also provides that as long as the state is obligated for debt service on the SCCY-MPU facility, the state shall provide alternative uses for the facility as a correctional facility.

## CONTINUED EXPENDITURE EXPLANATION:

4) 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

<u>Senate</u> □ 13.5.1 >= \$500,000 Annual Fiscal Cost

13.5.2 >= \$500,000 Annual Tax or Fee Change

<u>House</u> ☐ 6.8(F) >= \$500,000 Annual Fiscal Cost

☐ 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease

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