

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **HB 158** HLS 19RS 617
 Bill Text Version: **ENGROSSED**
 Opp. Chamb. Action:
 Proposed Amd.:
 Sub. Bill For.:

Date: May 13, 2019	6:37 PM	Author: WHITE, MALINDA
Dept./Agy.: Juvenile Justice		Analyst: Tanesha Morgan
Subject: Juvenile Detention		

JUVENILE PROCEDURE EG SEE FISC NOTE LF EX Page 1 of 1
 Provides relative to the detention or release of juveniles

Proposed law prohibits any juvenile detention facility from detaining a child who is alleged to have committed a delinquent act for certain purposes, except when the child is charged with the commission of a serious offense or has a history of adjudications based on prior serious offenses. Proposed law provides that on and after July 1, 2020, any child taken into custody for a delinquent act shall not be placed in detention without authorization based upon the completion of a detention screening instrument which indicates that detention is appropriate. Proposed law provides that a peace officer or probation officer, in lieu of taking the child into custody, may issue a verbal warning to the child. Proposed law authorizes each judicial district or parish to develop programs, operated by a non-profit or government entity, to serve as alternatives to secure detention of a child which shall be used only for a child taken into custody for the commission of a delinquent act who is not released.

EXPENDITURES	2019-20	2020-21	2021-22	2022-23	2023-24	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	
Annual Total						
REVENUES	2019-20	2020-21	2021-22	2022-23	2023-24	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	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	\$0
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

EXPENDITURE EXPLANATION

The net impact of this bill is indeterminable. This measure may result in a decrease in local government expenditures and an increase in state expenditures in FY 20 and future fiscal years.

Local Juvenile Detention Centers

Proposed law may result in an indeterminable decrease in local expenditures for local juvenile detention centers related to fewer youths being housed in the facility due to use of a detention screening instrument. The average cost to house pre-adjudicated youth in a local juvenile detention center is approximately \$250 per day. To the extent that a youth is averted from detention due to the screening instrument indicating that release is more appropriate, the cost savings is approximately \$250 per youth, per day. The LFO is unable to project the number of youths that will be diverted from detention due to the screening.

JDAI Collaborative

Proposed law may result in an indeterminable increase in state expenditures by Louisiana Juvenile Detention Alternatives Initiative Statewide Leadership Collaborative (JDAI Collaborative) members related to per diems and travel expenses. The bill provides that the JDAI Collaborative shall develop and oversee the implementation of the screening instrument as well as develop and oversee the training of those that use the screening instrument. JDAI Collaborative members may receive a per diem for their service and incur travel-related expenses. State impact is dependent on the number of meeting days and travel expenses that JDAI Collaborative members who are employed by the state incur related to developing and overseeing the implementation of the screening instrument and related training. JDAI Collaborative members that are employed by the state may receive a per diem and reimbursement for travel from their respective agencies.

Note: Members of the JDAI Collaborative include the chair of the Louisiana Senate Committee on Judiciary B, the chair of the Louisiana House Committee on Administration of Criminal Justice, the deputy secretary of youth services of the Department of Public Safety and Corrections, the secretary of the Department of Children and Family Services, the secretary of the Department of Health and Hospitals, the state superintendent of education, the state public defender, or their designees.

REVENUE EXPLANATION

There is no anticipated direct material effect on governmental revenues as a result of this measure.

Senate Dual Referral Rules
 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}

Evan Brasseaux
Evan Brasseaux
Staff Director