



LEGISLATIVE FISCAL OFFICE
Fiscal Note

Fiscal Note On: **SB 15** SLS 242ES 102
 Bill Text Version: **ORIGINAL**
 Opp. Chamb. Action:
 Proposed Amd.:
 Sub. Bill For.:

Date: February 25, 2024 5:04 PM **Author:** JACKSON-ANDREWS
Dept./Agy.: Juvenile Justice/Corrections **Analyst:** Daniel Druilhet
Subject: Dual Sentencing of Juveniles after Felony Delinquent Dispositions

JUVENILE JUSTICE OR INCREASE GF EX See Note Page 1 of 1

Provides relative to disposition of a juvenile after adjudication of certain felony-grade delinquent acts. (2/3 - CA5s19) (3/1/24) (Item #11)

Current law delineates sentencing mandates for juveniles who commit certain felony-grade delinquent acts, including first degree murder, second degree murder, first degree rape, aggravated kidnapping, armed robbery, and carjacking; provides disposition modification guidelines for juveniles in secure care for adjudication of felony-grade delinquent armed robbery, carjacking, first degree rape, and aggravated kidnapping; provides procedural guidelines for filing motions and conducting hearings on modifications of dispositions; and provides deadlines and guidelines related to the Office of Juvenile Justice's requirement to prepare transitional plans in preparation for a juvenile's release. Proposed law amends current law to mandate that after adjudication of a felony-grade delinquent act, the court shall order a dual sentence of the juvenile, when the juvenile receives both juvenile and adult sentences from the court.

EXPENDITURES	2024-25	2025-26	2026-27	2027-28	2028-29	5 -YEAR TOTAL
State Gen. Fd.	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
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	\$0	\$0	\$0	\$0	\$0	\$0
Annual Total						
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	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	\$0	\$0	\$0	\$0	\$0	\$0
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

EXPENDITURE EXPLANATION

Proposed law will likely result in an indeterminable increase in SGF expenditures to the Department of Public Safety & Corrections - Corrections Services (DPS&C-CS), to the extent that juveniles 17 years old and adjudicated of felony-grade delinquent offenses (and subject to serve dual sentences for criminal convictions) would be housed in special facilities or in a wing of a state facility separate from the adult prison population (post-adjudication and completion of a disposition) until the age of 18 years, and then subsequently placed in the adult prison population.

The proposed law does not make clear the specific age in which dual sentencing provisions would begin to apply and end with felony-grade delinquent juvenile dispositions and the age in which subsequent criminal sentences would begin. SGF expenditures will increase by \$87.58 per offender per day to the extent that an offender is convicted and then housed in the Youthful Offender Program with DPS&C-CS. The LFO presumes that the dual sentencing provision would be applicable to youth 17 years of age or older who have not reached the age of 18 years, who would be housed in the Youthful Offender Program, under the authority of DPS&C-CS.

As of FY 23, DPS&C-CS reports that there were 15 juveniles housed in the Youthful Offender Program in FY 23. To the extent that DPS&C-CS experiences any increase in the number of juveniles who receive both juvenile dispositions and adult criminal sentences and are housed in state facilities under the Youthful Offender Program, DPS&C-CS will incur annual costs of \$31,966.70 (\$87.58 per offender per day x 365 days). The exact fiscal impact to DPS&C-CS is indeterminable, because there is no way to determine how many juveniles with both juvenile dispositions and adult criminal sentences will be sentenced in the future.

Note: The LFO is working with DPS&C-CS and the Office of Juvenile Justice to get updated information regarding the bed space capacity and number of juveniles currently housed within the Youthful Offender Program, and the number of juveniles currently serving a disposition with the Office of Juvenile Justice who are slated to serve an adult criminal sentence with DPS&C-CS upon reaching the age of 18 years. This information will be provided once it becomes available.

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}


Patrice Thomas
Deputy Fiscal Officer