

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **SB 227** SLS 13RS 200
 Bill Text Version: **ORIGINAL**
 Opp. Chamb. Action:
 Proposed Amd.:
 Sub. Bill For.:

Date: April 22, 2013 5:11 PM	Author: TARVER
Dept./Agy.: Supreme Court	Analyst: Patrice Thomas
Subject: Informal Families in Need of Services (FINS) Process	

WELFARE OR INCREASE GF EX See Note Page 1 of 1
 Provides for Families in Need of Services. (gov sig)

Present law provides 10 grounds for entry of status offenders and their families into the families in need of services (FINS) court proceeding: (1) a child is truant; (2) a child is ungovernable; (3) a child is a runaway; (4) a child has repeatedly possessed or consumed intoxicating beverages; (5) a child has committed an offense (gambling, cigarettes, etc.); (6) a child under ten years of age has committed any act which if committed by an adult would be a crime; (7) a caretaker has caused, encouraged, or contributed to the child's delinquent behaviors; (8) a caretaker has willfully failed to attend a meeting to discuss the child's truancy, repeated violation of school rules, or other serious educational problems of the child; (9) a child has been found incompetent to proceed with a delinquency matter; (10) a child found to have engaged in cyber bullying. Proposed law allows only 3 grounds for the formal FINS process: (1) a child under ten years of age has committed any act which if committed by an adult would be a crime; (2) a child has been found incompetent to proceed with a delinquency matter; and (3) a child poses a safety risk to others or has alleged to committed a delinquent act.

EXPENDITURES	2013-14	2014-15	2015-16	2016-17	2017-18	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	2013-14	2014-15	2015-16	2016-17	2017-18	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

This legislation may result in an increase in state general fund expenditures within the Supreme Court and the La. Commission of Law Enforcement (LCLE) as well a decrease in state general fund expenditures in the Office of Juvenile Justice (OJJ) of \$7,078,091; however the exact fiscal impact of this legislation is indeterminable. This legislation reduces the number of grounds for entry of juvenile status offenders and their families into the formal families in the need of services (FINS) court proceedings from 10 grounds to three grounds: (1) a child under 10 years of age has committed any act which if committed by an adult would be a crime under any federal, state, or local law; (2) a child has been found incompetent to proceed with a delinquency matter under law; (3) a child poses a safety risk to others by demonstrating a serious threat of physical harm to family members or other caregivers or has been alleged to have committed a delinquent act. Juvenile status offenders are children who violate laws that define how young people should behave or engage in non-criminal misbehavior.

Presently, local FINS offices (under the Supreme Court) may request, or district attorney files, a petition to refer cases to formal FINS proceedings (court involved) from the informal FINS process (prejudicial). By limiting referrals to the formal FINS proceeding to only three grounds, the legislation appears to assign all formal FINS proceedings with non-delinquent high-risk grounds to the informal FINS process. In the FY 14 Executive Budget, state general fund savings of \$7,078,091 is reflected in OJJ as a result of reducing the number of children locked up in detention or residential facilities. According to the Supreme Court, it anticipates increased costs in the judicial district that would need additional resources to provide the needed supports and services to juvenile status offenders and oversight by the FINS Assistance Program (FINS-AP). To the extent that supports and services are not available through the Louisiana Behavioral Health Partnership (LBHP) and the Coordinated System of Care (CSoc) networks, the Supreme Court anticipates a significant cost may be associated with identifying and coordinating sufficient resources and services that meet the needs of juvenile status offenders and their families. Also, according to LCLE, the agency anticipates increased state general fund costs of \$391,362 for increased monitoring at the 12 existing Truancy Assessment Centers since the proposed legislation requires a monitoring and evaluation program for all parishes with truancy and assessment and service centers.

REVENUE EXPLANATION

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

<u>Senate</u>	<u>Dual Referral Rules</u>	<u>House</u>
<input type="checkbox"/> 13.5.1 >= \$100,000 Annual Fiscal Cost {S&H}		<input type="checkbox"/> 6.8(F) >= \$500,000 Annual Fiscal Cost {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}

Evan Brasseaux

Evan Brasseaux
 Staff Director