

Department of Planning and Budget
2002 Fiscal Impact Statement

1. Bill Number HB259ER

House of Origin	<input type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
Second House	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input checked="" type="checkbox"/> Enrolled

2. Patron McQuigg

3. Committee Passed Both Houses

4. Title Criteria for detention or shelter care.

5. Summary/Purpose: This legislation proposes to amend § 16.1 -248.1 of the Code of Virginia, to allow that a juvenile may be detained in a secure facility pursuant to a detention order or warrant when there is probable cause to believe that he violated the terms of his probation and the charge for which he was originally placed on probation would have been a felony or Class 1 misdemeanor if committed by an adult. Currently, secured detention is allowed only when the juvenile is alleged to have committed an act that would be a felony or Class 1 misdemeanor if committed by an adult.

6. Fiscal Impact Estimates are final: See item #8.

7. Budget amendment necessary: No.

8. Fiscal implications: The fiscal implications of this legislation are uncertain. The legislation would allow juveniles that violate the terms of their probation if the offense for which they were placed on probation was a felony or Class 1 misdemeanor to be detained in a secure facility. It is impossible to estimate the number of juveniles fitting these criteria that may violate the terms of probation. In addition, these juveniles would be placed in a detention home rather than a state-operated juvenile correctional center. The additional costs of housing these offenders would be partially borne by the Commonwealth as it provides approximately fifty percent of the cost of operating local secured detention facilities. However, the fiscal impact cannot be accurately estimated. It is not likely that state support costs will rise because of this legislation, given the new detentions pace coming online for which the state is already committed to providing financial support.

9. Specific agency or political subdivisions affected: Localities.

10. Technical amendment necessary: No.

11. Other comments: None.

Date: 02/28/02/ MEM

Document: G:\Fis\02\Djj\Hb259er.Doc Michael McMahon

cc: Secretary of Public Safety