

Department of Planning and Budget

2014 Fiscal Impact Statement

1. Bill Number: SB130

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

2. Patron: Marsden

3. Committee: Courts of Justice

4. Title: Delinquent juveniles; commitment to Department of Juvenile Justice.

5. Summary: Provides that the only juveniles who may be committed to the Department of Juvenile Justice are those adjudicated delinquent of an offense that would be a felony if committed by an adult and those adjudicated delinquent of an offense that would be a Class 1 misdemeanor if committed by an adult and the juvenile has previously been found to be delinquent based on an offense that would be a felony if committed by an adult. Under current law a juvenile may also be committed for a Class 1 misdemeanor if he has previously been adjudicated delinquent of three or more offenses that would be a Class 1 misdemeanor.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: Preliminary; See Item 8 below.

8. Fiscal Implications: According to the Department of Juvenile Justice (DJJ), the fiscal impact due to the proposal is unknown. Between FY 2009 and FY 2013, there were 181 juveniles committed with a misdemeanor or violation of probation or parole as the juvenile's most serious offense. In FY 2013, a total of 439 juveniles were committed to DJJ and of those, 7.1 percent or 31 juveniles were committed with a misdemeanor or violation of parole as the most serious offense without a prior felony offense. Under the proposal, these 31 juveniles would no longer be eligible for commitment to DJJ, however, they would still need to be provided services in the community.

The Department of Juvenile Justice (DJJ) reported the per capacity cost for direct care for FY 2013 to be \$129,735. (It is unclear what the per capacity cost will be in FY 2014 given the plan to close the two halfway houses and Culpeper Juvenile Correctional Center.) The cost for the alternative dispositional alternatives for these juveniles is unknown. Additionally, it is unknown how many felony offenses would not be reduced to misdemeanor offenses through plea bargaining should commitment to DJJ no longer be a dispositional alternative.

9. Specific Agency or Political Subdivisions Affected: Department of Juvenile Justice, court service units statewide.

10. Technical Amendment Necessary: No.

11. Other Comments: None.

Date: January 14, 2014

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