

Department of Planning and Budget

2017 Fiscal Impact Statement

1. Bill Number: SB 1373

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: Norment

3. Committee: Local Government

4. Title: Group homes; written notice prior to issuance of license.

5. Summary: This bill provides that any entity intending to locate a public or private detention home, group home, or other residential care facility in a locality shall give the chief administrative officer of that locality and the president of any home owner's association for the neighborhood in which such public or private detention home, group home, or other residential care facility is to be located at least 90 days written notice prior to the issuance of the license. The bill also states that no initial license to operate a public or private detention home, group home, or other residential care facility shall be granted if (i) the facility is to be located within one-half mile of a public or private licensed day care center or a public or private K-12 school and (ii) the residents of such facility may include persons who, on the basis of a prior record of criminal charges involving harm to persons or property or a finding of not guilty by reason of insanity for crimes involving harm to persons or property, may constitute a clear and present threat to the health or safety of other individuals, except when such service is provided by a hospital licensed by the Board of Health or the Commissioner or is owned or operated by an agency of the Commonwealth. Other provisions of the bill relate to the validity of restrictive covenants that prohibit owners from using, or renting a dwelling for another entity to use, their premises to house a person or persons who, on the basis of a prior record of criminal convictions involving harm to persons or property or a finding of not guilty by reason of insanity involving harm to persons or property, may constitute a clear and present threat to the health or safety of other individuals in the neighborhood.

6. Budget Amendment Necessary: No

7. Fiscal Impact Estimates: None

8. Fiscal Implications: The bill outlines several criteria by which applications for licensure for detention facilities, group homes, or other residential care facilities must be denied. The only additional duty required by the Department of Behavioral Health and Developmental Services (DBHDS) is to “within 15 days of the receipt, notify the local governing body and the community services board serving the jurisdiction in which the facility is to be located of the proposal or application and the facility's proposed location.”

DBHDS believes this responsibility could be absorbed by current department resources.

9. Specific Agency or Political Subdivisions Affected: Department of Behavioral Health and Developmental Services, Local Governments

10. Technical Amendment Necessary: No

11. Other Comments: None