

Department of Planning and Budget 2019 Fiscal Impact Statement

1. Bill Number: HB2562

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: Bell, Robert B.

3. Committee: House Committee for Courts of Justice

4. Title: Investigation of social history of juveniles

5. Summary: The proposed bill would require a juvenile and domestic relations court or a circuit court that has adjudicated a juvenile as delinquent of an offense that indicates sexual abnormality to order that the juvenile be examined by at least one psychiatrist or clinical psychologist when application for such testing is submitted by the attorney for the Commonwealth, the defendant, or counsel for the defendant. The bill requires that a written report of the examination findings be included in the juvenile's investigation of social history report. The bill also allows the court to order such examination on its own initiative.

If the person examining the juvenile determines that an adequate examination of the juvenile can only be performed in an inpatient hospital setting, the court shall have the power to send the juvenile to a state mental hospital for not more than 10 days for the purpose of performing an adequate examination.

6. Budget Amendment Necessary: No

7. Fiscal Impact Estimates: Indeterminate (see Item 8)

8. Fiscal Implications: According to the Office of the Executive Secretary of the Supreme Court ("OES"), the proposed bill likely will have a fiscal impact on courts; however, the impact cannot be determined at this time.

Under a similar statute that deals with adults (Code of Virginia, §19.2-301), OES paid \$167,600 for 281 examinations in FY2018. OES has established a cap of \$600 for such examinations. Given that the potential population for these examinations under the proposed bill is limited to juveniles, it is reasonable to conclude that fewer examinations would be conducted on delinquent juveniles.

The Department of Behavioral Health and Developmental Services ("DBHDS") states that unless the juveniles impacted by this bill are certified for trial as an adult, the juveniles requiring examination in an inpatient hospital setting would be housed at the state-operated Commonwealth Center for Children and Adolescents ("CCCA") facility. According to DBHDS, the proposed bill would create an indeterminate fiscal impact on CCCA because it

is not possible to estimate the number of juveniles who will be referred for review pursuant to the proposed legislation. .

Currently, CCCA is experiencing capacity issues and may have difficulty accommodating the increased demand for bed space created by the proposed bill. According to DBHDS, depending on the volume of juveniles requiring inpatient hospital examinations, the construction of a new unit may be necessary because additional single beds cannot be added to its existing facility. Each unit would consist of 12-beds and DBHDS estimates it would cost approximately \$3.9 million per unit to operate, in addition to the estimated \$5 to \$7 million in per unit construction costs.

9. Specific Agency or Political Subdivisions Affected: Circuit court, Juvenile and Domestic Relations District Court, and Department of Behavioral Health and Developmental Services

10. Technical Amendment Necessary: No

11. Other Comments: None