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HOUSE BILL NO. 480

Offered January 18, 1996

A BILL to amend and reenact § 16.1-309.7 of the Code of Virginia, relating to the Virginia Juvenile Community Crime Control Act; determination of payments.

Patrons—Jackson, Baker, Bloxom, Cantor, Darner, Deeds, Jones, J.C., Melvin, Moran and Rhodes; Senators: Miller, Y.B. and Reasor

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That § 16.1-309.7 of the Code of Virginia is amended and reenacted as follows:

§ 16.1-309.7 (Effective January 1, 1996) Determination of payment.

A. The Commonwealth shall provide financial assistance to localities whose plans have been approved pursuant to subsection D of § 16.1-309.3 in quarterly payments based on the annual calculated costs which shall be determined as follows:

1. *For community diversion services, three-quarters of the calculated costs as determined by the following factors: (i) the statewide daily average cost s for predispositional nonresidential services and (ii) the total number of child in need of services and child in need of supervision complaints diverted at intake by the locality in the previous year.*

2. For predispositional community-based services, three-quarters of the calculated costs as determined by the following factors: (i) the statewide daily average cost evenly divided for predispositional community-based residential and nonresidential services and (ii) the number of arrests of juveniles based on the locality's most recent year available Uniform Crime Reports for (a) one-third of all Part 1 crimes against property, (b) one-third of all drug offenses and (c) all remaining Part 2 arrests.

~~2.~~ *3.* For postdispositional community-based services *for adjudicated juveniles*, one-half of the calculated costs as determined by the following factors: (i) the statewide average daily costs ~~evenly divided~~ for postdispositional community-based ~~residential and~~ nonresidential services and (ii) the locality's ~~previous year's court dispositions for all~~ *total number of* juveniles, *who, in the previous year, were* adjudicated ~~on (a)~~ delinquent~~, (b) child in need of services, and (c) child in need of supervision petition, less those juveniles receiving services under the provisions of §§ 16.1-285.1 and 16.1-286~~ *for the first time*.

4. For postdispositional community-based services for juveniles adjudicated delinquent for a second or subsequent offense, one-half of the calculated costs as determined by the following factors: (i) the statewide average daily costs evenly divided for postdispositional community-based residential and nonresidential services and (ii) the locality's total number of court dispositions which, in the previous year, adjudicated juveniles as (a) delinquent for a second or subsequent offense, (b) child ren in need of services, or (c) children in need of supervision, less those juveniles receiving services under the provisions of §§ 16.1-285.1 and 16.1-286.

B. Any moneys distributed by the Commonwealth under this article which are unexpended at the end of each fiscal year within a biennium shall be retained by the county, city or combination thereof and subsequently expended for operating expenses of Juvenile Community Crime Control Act programs. Any surplus funds remaining at the end of a biennium shall be returned to the state treasury.