

## **Department of Planning and Budget**

### **2020 Fiscal Impact Statement**

**1. Bill Number:** SB546ER

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

**2. Patron:** Edwards

**3. Committee:** Passed Both Houses

**4. Title:** Juveniles; trial as adult

**5. Summary:** The bill establishes that in cases in which a juvenile is alleged to have committed a violent juvenile felony, the jurisdiction of the juvenile court is limited to conducting a preliminary hearing to determine if there is probable cause and to determine that the juvenile is 16 years of age or older at the time of the commission of the alleged offense.

The bill also increases from 14 years of age to 16 years of age the minimum age at which a juvenile can be tried as an adult in circuit court for a felony. If a juvenile is charged with a murder or aggravated malicious wounding violation and is 14 years of age or older, but less than 16 years of age, then the court may proceed with trial in circuit court upon the motion of the attorney for the Commonwealth. If the juvenile is 16 years of age or older, the attorney for the Commonwealth must submit a written request to the director of the court services unit to complete a report of the relevant factors that may have led to the alleged offense, prior to giving written notice of his intent to proceed in circuit court.

Lastly, the bill provides that when the relevant factors report is being prepared pursuant the written request of the attorney for the Commonwealth that the time limitations on confinement must be tolled.

**6. Budget Amendment Necessary:** No

**7. Fiscal Impact Estimates:** Final (see Item #8)

**8. Fiscal Implications:** The bill increases the age from 14 years of age to 16 years at which a juvenile can be tried as an adult in circuit court for certain violent offenses. The proposed legislation is not expected to have a material fiscal impact on the operations of the court system. The fiscal impact on the Commonwealth's Attorneys is indeterminate.

**9. Specific Agency or Political Subdivisions Affected:** Courts and Commonwealth's Attorneys

**10. Technical Amendment Necessary:** No

**11. Other Comments:** None