Local Government Mandate Statement Kentucky Legislative Research Commission 2019 Regular Session

Part I: Measure Information

Bill Request #: 2						
Bill #: SB 20 SCS 1						
Document ID #: 4971						
Bill Subject/Title: AN ACT relating to juvenile justice.						
Sponsor: Senator Whitney Westerfield						
Unit of Government: x City x County x Urban-County Unified Local total:x Consolidated Local x Government						
Office(s) Impacted: Local law enforcement and jails; Juvenile Detention Centers						
Requirement: x Mandatory Optional						
Effect on Powers & Duties: Modifies Existing Adds New Eliminates Existing						

Part II: Bill Provisions and the Estimated Fiscal Impact Relating to Local Government

The fiscal impact of SB 20 SCS is indeterminate and minimal. Provisions of the Act will result in more diversion agreements, fewer and shorter juvenile detentions. Some additional time and effort will be required to ensure that city and county agencies and law enforcement inform respective school districts when a child is taken into custody or a complaint is filed against a child for acts committed on school property or at school functions.

SB 20 SCS amends KRS 630.070 to limit detention for a child violating a court order to 30 days. It amends KRS 635.060 to allow a child who has committed an offense that would be a Class D felony if committed by an adult to be retained on probation for 18 months if the court-ordered substance abuse or mental health program is longer than 12 months, and to limit the exclusion of children from the time limits placed on certain dispositions. SB 20 SCS amends KRS 610.105 to expand a court's options for diversion of a child's adjudicated case, and amends KRS 630.070 to limit detention for a child violating a court order to 30 days.

The Kentucky Department of Juvenile Justice operates nine (9) Regional Juvenile Detention Centers that provide secure detention to all counties in Kentucky. Additionally, each county must provide detention facilities for children held in custody while their cases are pending before the district court. These facilities may be maintained by counties, public agencies, or private organizations (KRS 67.0831).

Part III: Differences to Local Government Mandate Statement from Prior Versions

The (only) change made to SB 20 by SB 20 SCS that directly affects local government (law enforcement) is as follows: All language relating to the use of physical restraint is deleted in SB 20 SCS. This affects the responsibilities of local law enforcement duties inside school buildings and grounds.

The fiscal impact of SB 20 SCS is the same as for SB 20, with the exception noted above.

Data Sourc	•	Kentucky Association of Jailers, Kentucky Association of Chiefs of Police; Kentucky Sheriffs Association; Department of Juvenile Justice				
Preparer:	H. Marks	Reviewer:	KHC	Date:	2/25/19	