

**Local Mandate Fiscal Impact Estimate
Kentucky Legislative Research Commission
2017 Regular Session**

Part I: Measure Information

Bill Request #: 96

Bill #: SB 20 SCS

Bill Subject/Title: AN ACT relating to juvenile justice.

Sponsor: Sen. Whitney Westerfield

Unit of Government: City County Urban-County
 Charter County Consolidated Local Unified Local
Government

Office(s) Impacted: law enforcement, jailers, juvenile detention facilities

Requirement: Mandatory Optional

Effect on

Powers & Duties: Modifies Existing Adds New Eliminates Existing

Part II: Purpose and Mechanics

SB 20 SCS amends KRS 17.110 to require county and city law enforcement agencies to inform 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.

The bill amends KRS 635.010 to provide that a county attorney **shall** not file a public offense petition if the complaint is a misdemeanor **or a Class D felony** and a child who is the subject of a diversion agreement has no prior adjudications or prior diversions. The bill amends KRS 635.010 to require youths detained pursuant to KRS 610.265 be offered a diversion agreement if the complaint is a misdemeanor **or Class D felony** if the child who is the subject of the diversion agreement has no prior adjudications and no prior diversions.

SB 20 SCS amends KRS 630.070 to limit detention for a child violating a court order to 30 days.

Part III: Fiscal Explanation, Bill Provisions, and Estimated Cost

The fiscal impact of SB 20 SCS is indeterminate and minimal. SB 20 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 inform respective school districts when a child is taken into custody.

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).

Data Source(s): Kentucky Association of Jailers, Department of Juvenile Justice

Preparer: H. Marks **Reviewer:** KHC **Date:** 2/23/17