



March 10, 2023

**SUMMARY OF BILL:** Requires a law enforcement officer, who has taken a child into custody for the commission of a misdemeanor if committed by an adult, to make efforts to contact the parent or guardian of the child if appropriate.

Authorizes a child to be committed to the Department of Children's Services (DCS) if they are found delinquent and are subject to disposition that would constitute a misdemeanor if committed by an adult, and the child has previously been found delinquent of certain offenses.

**FISCAL IMPACT:**

**Increase State Expenditures - \$2,707,300/FY22-23 and Subsequent Years**

**Increase Federal Expenditures - \$1,793,400/FY22-23 and Subsequent Years**

Assumptions:

- Requiring a law enforcement officer to contact the guardian of a child in their custody will not have an impact on law enforcement resources.
- According to information provided by DCS, there are currently 30 minors who could potentially become eligible for commitment to DCS custody under the proposed legislation.
- The daily rate for a child adjudicated by the juvenile justice system is approximately \$400.
- Therefore, the increase in expenditures for placing delinquent children is estimated to be \$4,380,000 (30 children x \$400 x 365 days) in FY22-23 and subsequent years.
- Pursuant to Tenn. Code Ann. § 37-5-132(a)(2), DCS is required to maintain staffing levels of case managers to allow caseloads not to exceed an average of 20 children monitored and supervised in active cases relating to ongoing services.
- Based on current staffing levels, DCS will require two additional case manager positions beginning in FY22-23.
- The increase in expenditures associated with the additional positions will be \$141,520 [(\$54,396 salary + \$16,364 benefits) x 2 positions] in FY22-23 and subsequent years.
- The total increase in expenditures will be \$4,521,520 (\$4,380,000 + \$141,520), which will be paid for with:
  - 44 percent, or \$1,989,469 (\$4,521,520 x 44%), DCS state funding,
  - 10 percent, of \$452,152 (\$4,521,520 x 10%), Title IV-E federal funding,

- 46 percent TennCare funding, which will consist of:
  - \$1,341,223 ( $\$4,521,520 \times 46\% \times 65.485\%$ ) in TennCare federal funding, and
  - \$717,877 ( $\$4,521,520 \times 46\% \times 34.515\%$ ) in TennCare state funding.
- The total increase in state expenditures will be \$2,707,346 ( $\$1,989,469 + \$717,877$ ) in FY23-24 and subsequent years.
- The total increase in federal expenditures will be \$1,793,375 ( $\$452,152 + \$1,341,223$ ) in FY23-24 and subsequent years.

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.



Krista Lee Carsner, Executive Director

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