

**COMMONWEALTH OF KENTUCKY FISCAL NOTE STATEMENT
LEGISLATIVE RESEARCH COMMISSION
2023 REGULAR SESSION
CONFIDENTIAL-REVISED**

MEASURE

2023 BR NUMBER 186

HOUSE BILL NUMBER 3 PHS 3

TITLE AN ACT relating to juvenile justice and making an appropriation therefor.

SPONSOR Representative Kevin D. Bratcher

FISCAL SUMMARY

STATE FISCAL IMPACT: YES NO UNCERTAIN

OTHER FISCAL STATEMENT(S) THAT MAY APPLY: ACTUARIAL ANALYSIS
 LOCAL MANDATE CORRECTIONS IMPACT HEALTH BENEFIT MANDATE

APPROPRIATION UNIT(S) IMPACTED: Juvenile Justice and Corrections

FUND(S) IMPACTED: GENERAL ROAD FEDERAL RESTRICTED _____

FISCAL ESTIMATES	2022-2023	2023-2024	ANNUAL IMPACT AT FULL IMPLEMENTATION
REVENUES			
EXPENDITURES		No less than \$30,000,000	Indeterminable
NET EFFECT		(No less than \$30,000,000)	(Indeterminable)

() indicates a decrease/negative

PURPOSE OF MEASURE: This measure seeks to renovate Louisville Metro Government’s youth detention facility, outline responsibilities for parental cooperation and penalties for failure to cooperate, require that certain youths shall be automatically detained, define when juvenile court records should remain unsealed, and require the Justice and Public Safety Cabinet (JPSC) to provide cognitive behavioral therapy or substance use disorder treatment.

FISCAL EXPLANATION: HB 3 PHS 3 appropriates General Fund in the following amounts for the stated reasons:

1. Section 6 appropriates \$17.1 million in fiscal year (FY) 2024 to the Department of Juvenile Justice (DJJ) for the renovation of the Jefferson County Youth Detention Center, but only if the property is deeded to the Commonwealth before July 1, 2023.
2. Section 7 appropriates \$2 million in FY 2024 for the operations of this facility.
3. Section 8 appropriates \$5.8 million in FY 2024 for increased transportation services.
4. Section 9 appropriates \$9.6 million in FY 2024 for additional staff in DJJ detention centers.

5. Section 10 appropriates \$4.5 million in FY 2024 for the renovation of the Jefferson Regional Juvenile Detention Center in Lyndon.

It is unknown whether the funding provided in Sections 6 and 7 is sufficient as it is currently unknown whether DJJ has assessed the facility to fully investigate these costs.

There are additional, indeterminable impacts to the DJJ as it relates to mandatory detention for youth (with exceptions) who have been accused of committing an offense that would be considered a violent offense under KRS 532.200. Staff at the JPSC have stated that they have no indication as to how many additional youths will be detained under these provisions. Depending on the exact number of additional youths in detention, additional youth workers and support staff may be needed to manage the population. Additional resources for any treatment services may also be necessary (ex: medications).

There are provisions requiring youth who have been accused of committing an offense that would be considered a violent offense under KRS 532.200 to be examined by a qualified mental health professional to determine whether these youths would benefit from cognitive behavioral therapy, other evidence-based behavioral health programs, or substance use disorder treatment. If a youth is found to need these treatment services, HB 3 PHS 3 dictates that treatment shall be provided by the JPSC via a contract between the JPSC and a behavioral health services organization. It is unclear whether the JPSC has the responsibility to provide this treatment only during the length of a youth's detention, or whether this care continues after a youth is released from DJJ custody.

Lastly, the Class A misdemeanor for parents found to violate Section 2 could pose a small, indeterminable increase to the Department of Corrections.

DATA SOURCE(S): LRC Staff, JPSC, and the Office of State Budget Director
PREPARER: Zach Ireland NOTE NUMBER: 43 REVIEW: JAB DATE: 2/27/2023