

1 AN ACT relating to juvenile justice.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 15A.020 is amended to read as follows:

4 (1) The Justice and Public Safety Cabinet shall have the following departments:

5 (a) Department of Corrections;

6 (b) Department of Criminal Justice Training, which shall have the following
7 divisions:

8 1. Training Operations Division; and

9 2. Administrative Division;

10 (c) Department of Juvenile Justice, which shall have the following offices ***and***
11 ***divisions:***

12 1. Office of Program Operations, which shall have the following divisions:

13 a. Division of Western Region;

14 b. Division of Eastern Region; and

15 c. Division of Placement Services;

16 2. Office of Support Services, which shall have the following divisions:

17 a. Division of Administrative Services;

18 b. Division of Program Services; and

19 c. ***Division of Professional Development***~~Division of Medical~~
20 ~~Services]; and~~

21 3. Office of Community and Mental Health Services, which shall have the
22 following ***division***~~divisions]:~~

23 a.~~Division of Professional Development; and~~

24 b.] Division of Community and Mental Health Services;

25 ***4. Office of Detention, which shall require that all eight (8) detention***
26 ***centers report to one (1) supervisor who reports directly to the***
27 ***commissioner, and which shall have the following division:***

1 *a. Division of Transportation; and*

2 *5. Division of Compliance;*

3 (d) Department of Kentucky State Police, which shall have the following offices
4 and divisions:

5 1. Office of Administrative Services, which shall be headed by an
6 executive director who shall be appointed by the commissioner of the
7 Department of Kentucky State Police and who shall report to the
8 commissioner;

9 a. Division of Operational Support, which shall be headed by a
10 director who shall be appointed by the commissioner of the
11 Department of Kentucky State Police and who shall report to the
12 executive director of the Office of Administrative Services; and

13 b. Division of Management Services, which shall be headed by a
14 director who shall be appointed by the commissioner of the
15 Department of Kentucky State Police and who shall report to the
16 executive director of the Office of Administrative Services;

17 2. Office of Operations, which shall be headed by an executive director
18 who shall be appointed by the commissioner of the Department of
19 Kentucky State Police and who shall report to the commissioner;

20 a. Division of West Troops, which shall be headed by a director who
21 shall be appointed by the commissioner of the Department of
22 Kentucky State Police and who shall report to the executive
23 director of the Office of Operations;

24 b. Division of East Troops, which shall be headed by a director who
25 shall be appointed by the commissioner of the Department of
26 Kentucky State Police and who shall report to the executive
27 director of the Office of Operations;

- 1 c. Division of Special Enforcement, which shall be headed by a
2 director who shall be appointed by the commissioner of the
3 Department of Kentucky State Police and who shall report to the
4 executive director of the Office of Operations; and
- 5 d. Division of Commercial Vehicle Enforcement, which shall be
6 headed by a director who shall be appointed by the commissioner
7 of the Department of Kentucky State Police and who shall report
8 to the executive director of the Office of Operations; and
- 9 3. Office of Technical Services, which shall be headed by an executive
10 director who shall be appointed by the commissioner of the Department
11 of Kentucky State Police and who shall report to the commissioner;
- 12 a. Division of Forensic Services, which shall be headed by a director
13 who shall have a minimum of a bachelor's degree in a natural
14 science and at least seven (7) years of experience in an accredited
15 forensic laboratory, who shall be appointed by the commissioner
16 of the Department of Kentucky State Police, and who shall report
17 to the executive director of the Office of Technical Services; and
- 18 b. Division of Information Technology, which shall be headed by a
19 director who shall be appointed by the commissioner of the
20 Department of Kentucky State Police and who shall report to the
21 executive director of the Office of Technical Services; and
- 22 (e) Department of Public Advocacy, which shall have the following divisions:
- 23 1. Protection and Advocacy Division;
- 24 2. Division of Law Operations;
- 25 3. Division of Trial Services;
- 26 4. Division of Post-Trial Services; and
- 27 5. Division of Conflict Services.

1 (2) Each department, except for the Department of Public Advocacy, shall be headed
2 by a commissioner who shall be appointed by the secretary of the Justice and Public
3 Safety Cabinet with the approval of the Governor as required by KRS 12.040. Each
4 commissioner shall be directly responsible to the secretary and shall have such
5 functions, powers, and duties as provided by law and as the secretary may
6 prescribe. The Department of Public Advocacy shall be headed by the public
7 advocate, appointed as required by KRS 31.020, who shall be directly responsible
8 to the Public Advocacy Commission. The Department of Public Advocacy is an
9 independent state agency which shall be attached to the Justice and Public Safety
10 Cabinet for administrative purposes only. The Justice and Public Safety Cabinet
11 shall not have control over the Department of Public Advocacy's information
12 technology equipment and use unless granted access by court order.

13 (3) The Justice and Public Safety Cabinet shall have the following offices and
14 divisions:

15 (a) Office of the Secretary, which shall be headed by a deputy secretary
16 appointed pursuant to KRS 12.050 and responsible for the direct
17 administrative support for the secretary and other duties as assigned by the
18 secretary, and which, with the approval of the secretary, may employ such
19 staff as necessary to perform the duties, functions, and responsibilities of the
20 office;

21 (b) Office of Human Resource Management, which shall be headed by an
22 executive director appointed pursuant to KRS 12.050 who shall be responsible
23 to and report to the secretary and be responsible for all matters relating to
24 human resources, and who, with the approval of the secretary, may employ
25 such staff as necessary to perform the duties, functions, and responsibilities of
26 the office;

27 1. Division of Human Resource Administration, which shall be headed by

- 1 a director appointed pursuant to KRS 12.050 who shall report to the
2 executive director of the Office of Human Resource Management; and
- 3 2. Division of Employee Management, which shall be headed by a director
4 appointed pursuant to KRS 12.050 who shall report to the executive
5 director of the Office of Human Resource Management;
- 6 (c) Office of Legal Services, which shall be headed by an executive director
7 appointed pursuant to KRS 12.050 and 12.210, that:
- 8 1. Shall provide legal representation and services for the cabinet; and
9 2. May investigate all complaints regarding the facilities, staff, treatment
10 of juveniles, and other matters relating to the operation of the Justice
11 and Public Safety Cabinet. If it appears that there is a violation of
12 statutes, administrative regulations, policies, court decisions, the rights
13 of juveniles who are subject to the orders of the department, or any other
14 matter relating to the Justice and Public Safety Cabinet, the office shall
15 report to the secretary of the Justice and Public Safety Cabinet who
16 shall, if required, refer the matter to a law enforcement agency,
17 Commonwealth's attorney, county attorney, the Attorney General, or
18 federal agencies, as appropriate. The office may be used to investigate
19 matters in which there is a suspicion of violation of written policy,
20 administrative regulation, or statutory law within the Department of
21 Public Advocacy only when the investigation will have no prejudicial
22 impact upon a person who has an existing attorney-client relationship
23 with the Department of Public Advocacy. Notwithstanding the
24 provisions of this subparagraph, investigation and discipline of KRS
25 Chapter 16 personnel shall continue to be conducted by the Department
26 of Kentucky State Police pursuant to KRS Chapter 16. The office shall
27 conduct no other investigations under the authority granted in this

1 subparagraph. The secretary may, by administrative order, assign the
2 investigative functions in this subparagraph to a branch within the
3 office.

4 The executive director shall be directly responsible to and report to the
5 secretary and, with the approval of the secretary, may employ such attorneys
6 appointed pursuant to KRS 12.210 and other staff as necessary to perform the
7 duties, functions, and responsibilities of the office;

8 (d) Office of Legislative and Intergovernmental Services, which shall be headed
9 by an executive director appointed pursuant to KRS 12.050 who shall be
10 responsible for all matters relating to the provision of support to the Criminal
11 Justice Council, legislative liaison services, and functions and duties vested in
12 the Criminal Justice Council as described in KRS 15A.030. The executive
13 director shall be directly responsible to and report to the secretary and may
14 employ such staff as necessary to perform the duties, functions, and
15 responsibilities of the office;

16 (e) Office of Communications, which shall be headed by an executive director
17 appointed by the secretary of the Justice and Public Safety Cabinet pursuant to
18 KRS 12.050 who shall be responsible to report to the secretary and be
19 responsible for all matters relating to communications, and who, with the
20 approval of the secretary, may employ such staff as necessary to perform the
21 duties, functions, and responsibilities of the office;

22 1. Information and Technology Services Division, which shall be headed
23 by a director appointed by the secretary of the Justice and Public Safety
24 Cabinet pursuant to KRS 12.050 who shall report to the executive
25 director of the Office of Communications;

26 (f) Office of Financial Management Services, which shall be headed by an
27 executive director appointed by the secretary of the Justice and Public Safety

1 Cabinet pursuant to KRS 12.050 who shall be responsible to report to the
2 secretary and be responsible for all matters relating to fiscal functions, and
3 who, with the approval of the secretary, may employ such staff as necessary
4 to perform the duties, functions, and responsibilities of the office;

5 1. Division of Financial Management, which shall be headed by a director
6 appointed by the secretary of the Justice and Public Safety Cabinet
7 pursuant to KRS 12.050 who shall report to the executive director of the
8 Office of Financial Management Services;

9 (g) Grants Management Division, which shall be headed by a director appointed
10 by the secretary of the Justice and Public Safety Cabinet pursuant to KRS
11 12.050 who shall be responsible to report to the secretary and be responsible
12 for all matters relating to state and federal grants management, and who, with
13 the approval of the secretary, may employ such staff as necessary to perform
14 the duties, functions, and responsibilities of the office;

15 (h) Office of the Kentucky State Medical Examiner, which shall be headed by a
16 chief medical examiner appointed pursuant to KRS 72.240 who shall be
17 responsible for all matters relating to forensic pathology and forensic
18 toxicology and other duties as assigned by the secretary. The executive
19 director appointed pursuant to KRS 12.050 shall be responsible for all matters
20 related to the administrative support of the Office of the State Medical
21 Examiner. The executive director shall report directly to the secretary and
22 with the approval of the secretary may employ such administrative support
23 staff as necessary to perform the administrative duties, functions, and
24 responsibilities of the office. The chief medical examiner shall be directly
25 responsible to and report to the secretary and may employ such staff as
26 necessary to perform the forensic duties, functions, and responsibilities of the
27 office; and

1 (i) Office of Drug Control Policy, which shall be headed by an executive director
2 appointed pursuant to KRS 12.050 who shall be responsible for all matters
3 relating to the research, coordination, and execution of drug control policy
4 and for the management of state and federal grants, including but not limited
5 to the prevention and treatment related to substance abuse. By December 31
6 of each year, the Office of Drug Control Policy shall review, approve, and
7 coordinate all current projects of any substance abuse program which is
8 conducted by or receives funding through agencies of the executive branch.
9 This oversight shall extend to all substance abuse programs which are
10 principally related to the prevention or treatment, or otherwise targeted at the
11 reduction, of substance abuse in the Commonwealth. The Office of Drug
12 Control Policy shall promulgate administrative regulations consistent with
13 enforcing this oversight authority. The executive director shall be directly
14 responsible to and report to the secretary and may employ such staff as
15 necessary to perform the duties, functions, and responsibilities of the office.

16 ➔Section 2. KRS 15A.061 is amended to read as follows:

17 **(1) The cabinet shall maintain a comprehensive, centralized data tracking system for**
18 **the Department of Juvenile Justice.**

19 **(2)** The cabinet shall ensure that all departments within the cabinet collaborate to
20 develop procedures to allow collection and sharing of data necessary to analyze
21 juvenile recidivism. Recidivism includes an adjudication of delinquency by a
22 juvenile court, or a conviction by a District Court or Circuit Court, for an offense
23 committed within three (3) years of release from the custody or control of the
24 Department of Juvenile Justice.

25 ➔Section 3. KRS 15A.063 is amended to read as follows:

26 (1) The Juvenile Justice Oversight Council is created for the purpose of providing
27 independent review of the state juvenile justice system and providing

1 recommendations to the General Assembly. The council ~~shall~~^{is to} actively
 2 ~~engage in~~ review the implementation of ~~all~~^{the} juvenile justice reforms enacted
 3 by the General Assembly~~[in 2014 Ky. Acts ch. 132]~~, collect and review
 4 performance measurement data, and continue to review the juvenile justice system
 5 for changes that improve public safety, hold youth accountable, provide better
 6 outcomes for children and families, and control juvenile justice costs.

7 (2) (a) The membership of the council shall include the following:

- 8 1. The secretary of the Justice and Public Safety Cabinet, ex officio;
- 9 2. The commissioner of the Department for Behavioral Health,
 10 Developmental and Intellectual Disabilities, ex officio;
- 11 3. The commissioner of the Department for Community Based Services, ex
 12 officio;
- 13 4. The commissioner of the Department of Juvenile Justice, ex officio;
- 14 5. The commissioner of the Department of Education, ex officio;
- 15 6. The director of the Administrative Office of the Courts, ex officio;
- 16 7. The Public Advocate, ex officio;
- 17 8. The Senate chair of the Committee on Judiciary, nonvoting ex officio;
- 18 9. The House chair of the Committee on Judiciary, nonvoting ex officio;
- 19 10. One (1) member of the Senate appointed by the President of the
 20 Senate who shall serve as an ex officio, nonvoting member for the
 21 duration of the term for which he or she has been elected;
- 22 11. One (1) member of the House of Representatives appointed by the
 23 Speaker of the House of Representatives who shall serve as an ex
 24 officio, nonvoting member for the duration of the term for which he or
 25 she has been elected; and

26 ~~12. [10.]~~ Five (5) at-large members appointed by the Governor, as follows:

- 27 a. One (1) member representing public schools or an education group

- 1 or organization;
- 2 b. One (1) District Judge nominated by the Chief Justice of the
- 3 Kentucky Supreme Court;
- 4 c. One (1) member representing law enforcement;
- 5 d. One (1) member of the County Attorneys' Association nominated
- 6 by the Attorney General; and
- 7 e. One (1) member representing community-based organizations,
- 8 whether for-profit or nonprofit, with experience in programs for
- 9 juveniles, including substance abuse prevention and treatment,
- 10 case management, mental health, or counseling.
- 11 (b) The chairs of the House and Senate Judiciary Committees shall serve as co-
- 12 chairs.
- 13 (c) At-large members shall be appointed by August 1, 2022, shall serve a term of
- 14 two (2) years, and may be reappointed.
- 15 (d) Each ex officio member, except for legislative members, may designate a
- 16 proxy by written notice to the council prior to call of order of each meeting,
- 17 and the proxy shall be entitled to participate as a full voting member.
- 18 (e) Except as otherwise provided by law, members shall not be compensated for
- 19 being members of the council but shall be reimbursed for ordinary travel
- 20 expenses, including meals and lodging, incurred while performing council
- 21 business.
- 22 (f) The council shall meet at least quarterly. A quorum, consisting of a majority
- 23 of the membership of the council, shall be required for the transaction of
- 24 business. Meetings shall be held at the call of the chair, or upon the written
- 25 request of two (2) members to the chair.
- 26 (3) The council shall:
- 27 (a) **Review**~~Oversee~~ the implementation of the reforms **enacted by the General**

1 ~~Assembly;~~~~[contained in 2014 Ky. Acts ch. 132, including:]~~

2 ~~(b)~~~~[1.]~~ Review~~[of the]~~ performance measures~~[to be adopted]~~ and recommend
3 modifications;

4 ~~(c)~~~~[2.]~~ ~~Review~~~~[Ensure]~~ all policies **to confirm implementation as**~~[are~~
5 ~~implemented in accordance with the time frames]~~ established **by legislation**
6 **enacted by the General Assembly and administrative regulations**
7 **promulgated thereunder;**

8 ~~(d)~~~~[3.]~~ ~~Review~~~~[Ensure]~~ the fiscal incentive program established pursuant to
9 KRS 15A.062~~[is implemented and continue to review the program; and~~
10 ~~4. Review the Department of Juvenile Justice facilities plan submitted~~
11 ~~following a reduction of population and make recommendations to the~~
12 ~~General Assembly as to the plan and any changes to the reinvestment of~~
13 ~~savings achieved from the closure of any facilities];~~

14 ~~(e)~~~~[(b)]~~ Collect and review performance data and recommend any additional
15 performance measures needed to identify outcomes in the juvenile justice
16 system;

17 ~~(f)~~~~[(e)]~~ Review the information received from the Department of Education
18 pursuant to KRS 156.095, and determine whether any action is necessary,
19 including additional performance measures, funding, or legislation;

20 ~~(g)~~~~[(d)]~~ Continue review of juvenile justice areas determined appropriate by the
21 council, including:

- 22 1. Status offense reform;
- 23 2. Necessary training for school resource officers as defined in KRS
24 158.441, in juvenile justice best practices, research, and impacts on
25 recidivism and long-term outcomes;
- 26 3. Graduated sanctions protocols in public schools, including their current
27 use and their development statewide;

- 1 4. A minimum age of criminal responsibility;
- 2 5. Competency;
- 3 6. Reforms to the family resource and youth service centers in the Cabinet
- 4 for Health and Family Services;
- 5 7. Population levels in Department of Juvenile Justice facilities, and the
- 6 potential for closure of facilities while maintaining staffing ratios
- 7 necessary to comply with applicable accreditation standards; and
- 8 8. Whether juvenile court hearings should be open to the public; ~~and~~

9 **(h) Review and make recommendations regarding:**

- 10 **1. The structure and staffing of the Department of Juvenile Justice;**
- 11 **2. Training of juvenile justice staff;**
- 12 **3. The adequacy of current programs and facilities operated by the**
- 13 **Department of Juvenile Justice;**
- 14 **4. Best practices in juvenile justice programs and facilities; and**
- 15 **5. Other topics as determined by the council; and**

16 ~~(i)(e)~~ Report by **December 1, 2023**~~[November 2014]~~, and by **December**

17 ~~[November]~~ of each year thereafter, to the Interim Joint Committee on

18 Judiciary and the Governor and make recommendations to the General

19 Assembly for any additional legislative changes the council determines

20 appropriate.

21 (4) The council shall be attached to the **Legislative Research Commission**~~[Justice and~~

22 ~~Public Safety Cabinet]~~ for administrative purposes.

23 (5) The council shall terminate on July 1, 2030, unless the General Assembly extends

24 the term of the council.

25 ➔Section 4. KRS 15A.305 is amended to read as follows:

26 (1) The Department of Juvenile Justice shall~~, with available funds,~~ develop and

27 administer a statewide detention program and, as each regional facility is

1 constructed and ready for occupancy, shall~~[, within appropriation limitations,]~~
2 provide for:

3 (a) The operation of preadjudication detention facilities for children charged with
4 public offenses; and

5 (b) The operation of postadjudication detention facilities for children adjudicated
6 delinquent or found guilty of public offenses.

7 (2) In each region in which the Department of Juvenile Justice operates or contracts for
8 the operation of a detention facility, the department shall~~[, within appropriation~~
9 ~~limitations,]~~ develop and administer a program for alternatives to secure detention
10 that shall provide for:

11 (a) The operation of or contracting for the operation of preadjudication
12 alternatives to secure detention and follow-up programs for juveniles who are
13 before the court or who enter pretrial diversion or informal adjustment
14 programs; and

15 (b) The operation of or contracting for the operation of postadjudication
16 alternatives to secure detention and follow-up programs, including but not
17 limited to community-based programs, mentoring, counseling, and other
18 programs designed to limit the unnecessary use of secure detention and ensure
19 public safety.

20 (3) The department shall develop and implement a system to immediately notify the
21 Cabinet for Health and Family Services when a status offender or child alleged to
22 be a status offender has been detained for the alleged violation of a valid court
23 order.

24 (4) The department may, except as provided in KRS 635.060, charge counties,
25 consolidated local governments, and urban-county governments a per diem not to
26 exceed ninety-four dollars (\$94) for lodging juveniles in state-owned or contracted
27 facilities.

- 1 (5) Detention rates charged by contracting detention facilities shall not exceed the rate
2 in effect on July 1, 1997, subject to increases approved by the department.
- 3 (6) No juvenile detention facility, as defined in KRS 15A.200, shall be taken over,
4 purchased, or leased by the Commonwealth without prior approval of the fiscal
5 court upon consultation with the jailer in the county where the facility is located.
6 The county, upon consultation with the jailer, may enter into contracts with the
7 Commonwealth for the holding, detention, and transportation of juveniles.
- 8 **(7) The Department of Juvenile Justice shall enter into sufficient contracts to ensure**
9 **the availability of institutional treatment for children with severe emotional**
10 **disturbance or mental illness as soon as practicable.**
- 11 **(8) The Department of Juvenile Justice shall, for any facility operated pursuant to**
12 **subsection (1) of this section, require that the facility:**
- 13 **(a) Provide children in crisis who are residing in a juvenile detention facility**
14 **access to a mental health professional whose communications with the child**
15 **are privileged under the Kentucky Rules of Evidence;**
- 16 **(b) Conduct monthly documented training related to emergency response;**
- 17 **(c) Ensure that staff working with detained youth have controlled access to,**
18 **and are properly trained in the use of, appropriate defensive equipment**
19 **comparable to that utilized by the Department of Corrections, including**
20 **tasers, pepper spray, and shields;**
- 21 **(d) Establish a specially trained emergency response team within each juvenile**
22 **detention center and youth development center which shall be trained in**
23 **tactics related to detention facilities and engage in monthly drills as part of**
24 **emergency response training;**
- 25 **(e) Enter into a memorandum of understanding with local law enforcement for**
26 **emergency response and include these agencies in emergency response**
27 **trainings;**

1 ➔Section 6. Within 90 days after the effective date of this Act, the Department
2 for Medicaid Services shall develop and submit an amendment to the Section 1115
3 demonstration waiver submitted pursuant to 2021 Ky. Acts ch. 169, Part I, G., 3., b., (16)
4 to provide Medicaid benefits to Medicaid-eligible children detained by the Department of
5 Juvenile Justice. Upon approval of the waiver, the cost of medical and behavioral health
6 care shall be a covered Medicaid benefit for an incarcerated child.

7 ➔Section 7. General Fund moneys in the amount of \$38,000,000 from the
8 General Fund appropriation of \$200,000,000 in fiscal year 2023-2024 set out in 2022 Ky.
9 Acts ch. 199, Part I, N., 1. are hereby transferred as follows:

10 (1) \$3,200,000 to the Department of Juvenile Justice in fiscal year 2023-2024 to
11 maintain the salary increases provided to youth workers in juvenile detention centers in
12 fiscal year 2022-2023;

13 (2) \$4,800,000 to the Department of Juvenile Justice in fiscal year 2023-2024 to
14 provide salary increases to other job classifications within the department; and

15 (3) \$30,000,000 to the Adult Correctional Institutions budget unit in fiscal year
16 2023-2024 to provide salary increases for correctional officers within the Department of
17 Corrections facilities in the same manner as was provided to youth workers in juvenile
18 detention facilities with a base pay of \$50,000.

19 ➔Section 8. There is hereby appropriated General Fund moneys in the amount of
20 \$9,700,000 in fiscal year 2023-2024 to the Department of Juvenile Justice for 146
21 additional youth workers in juvenile detention centers.

22 ➔Section 9. There is hereby appropriated General Fund moneys in the amount of
23 \$200,000 in fiscal year 2023-2024 to the Department of Juvenile Justice for the
24 development of a youth offender management system.

25 ➔Section 10. There is hereby appropriated General Fund moneys in the amount
26 of \$4,000,000 in fiscal year 2022-2023 to the Department of Juvenile Justice to provide
27 security upgrades within the juvenile detention centers. Notwithstanding KRS 45.229, the

1 General Fund appropriation under this section shall not lapse and shall carry forward for
2 expenditure in fiscal year 2023-2024.

3 ➔Section 11. There is hereby appropriated General Fund moneys in the amount
4 of \$1,500,000 in fiscal year 2022-2023 to the Department of Juvenile Justice to establish
5 a diversionary program to identify and provide treatment for any juvenile identified as
6 suffering from severe mental illness, in conjunction with the State Interagency Council
7 for Services and Supports to Children and Transition-age Youth, including any juvenile
8 currently detained who shall be transferred as soon as practicable to a secure facility for
9 treatment. As used in this section, "severe mental illness" means one or more mental,
10 behavioral, or emotional disorders resulting in serious functional impairment, which
11 substantially interferes with or limits one or more major life activities. Notwithstanding
12 KRS 45.229, the General Fund appropriation under this section shall not lapse and shall
13 carry forward for expenditure in fiscal year 2023-2024.

14 ➔Section 12. There is hereby appropriated General Fund moneys in the amount
15 of \$1,750,000 in fiscal year 2022-2023 to the Department of Juvenile Justice to retain
16 design experts to enable a return to the regional model of juvenile detention center
17 facilities. Notwithstanding KRS 45.229, the General Fund appropriation under this
18 section shall not lapse and shall carry forward for expenditure in fiscal year 2023-2024.

19 ➔Section 13. Any Department of Juvenile Justice or Adult Correctional
20 Institutions employee receiving an increase in overall compensation due to either a base
21 salary increase, or the addition of new or increased locality pay, as part of the
22 compensation enhancement process beginning in December 2022, shall not be eligible for
23 an annual statewide increment or increase in fiscal year 2023-2024.

24 ➔Section 14. Whereas the operations of the Department of Juvenile Justice and
25 the safety of juveniles and staff are imperative for the betterment of the Commonwealth,
26 an emergency is declared to exist, and this Act takes effect upon its passage and approval
27 by the Governor or upon its otherwise becoming a law.