



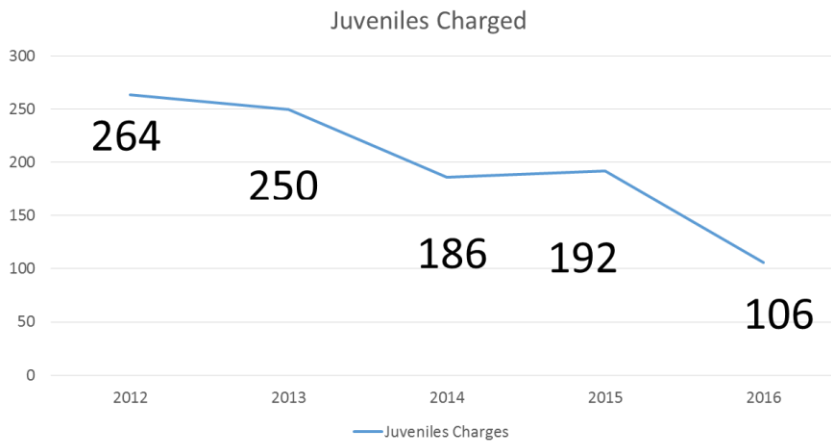
alleging that a child sixteen (16) years of age or older has committed a motor vehicle offense, and for whom a “public offense action”, excluding contempt, is brought in the interest of must be eleven (11) years of age or older.

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

**It is estimated the fiscal impact of this legislation on local government to be nil to minimal.**

Currently children under the age of 11 can be charged with public offenses under the criminal code, though presumably they would be prosecuted as juvenile offenders. When a child is charged with a crime, the criminal activity may be required to be investigated, and the child transported by local law enforcement. Under HB 92, these children would be deemed to be children in need of social services or community based services, and therefore the state would be responsible for the resolution of the issues relating to the children and their family. The Commonwealth would bear the cost of remediation.

Even if there was deemed to be a fiscal impact on local government as a result of the enactment of HB 92, it is believed that that the impact would be minimal given there is a minimal number of children to which this legislation would arguably apply. The Administrative Offices of the Court provided the following chart showing the decline in numbers for youth age ten and under with public offense complaints file.



**Data Source(s):** LRC Staff, Administrative Office of the Court

**Preparer:** Wendell F. Butler      **Reviewer:** JWN      **Date:** 1/30/17