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

Part I: Measure Information

Bill Request #: 96						
Bill #: SB 20						
Bill Subject/Title: AN ACT relating to juvenile justice.						
Sponsor: Sen. Whitney Westerfield						
Unit of Government: x City x County x Urban-County Unified Local x Government						
Office(s) Impacted: law enforcement, jailers, juvenile detention facilities						
Requirement:x Mandatory Optional						
Effect on Powers & Duties: x Modifies Existing x Adds New Eliminates Existing						

Part II: Purpose and Mechanics

SB 20 creates new sections of KRS Chapter 610 to create a minimum age of criminal responsibility of 12 years of age. It 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 may 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 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 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	e(s):	Kentucky Associ	ciation of Jailers.	Department of Juveni	le Justice	
Preparer:	H. Mar	ks	Reviewer:	KHC	Date:	2/20/17