



a public offense for the sole or primary reason of avoiding transporting the child to a hospital, mental health facility, or other less restrictive alternative.

**Section 8** would amend KRS 15A.200 to establish that “youth alternative center” for purposes of specific statutes means a facility operated by a local government and which meets the criteria specified in Section 9 of the bill.

**Section 9** would expand the type of counties that can apply to build/operate a youth alternative center to include a consolidated local government, unified local government, and charter county government.

**Section 17** would require children who are accused of a status offense, who are adjudicated a status offender, or are held in contempt of court based upon an underlying finding that the child is a status offender, and are absent without leave from a facility operated by the DJJ, be charged with escape under KRS Chapter 520. The language appears to describe escape in the third degree, which is a Class B misdemeanor. Children who are absent without leave from home detention, or who fail to report or comply with the conditions of supervised placement, shall not be charged with escape.

**Section 19** would amend the definition of mental health group home in KRS 645.020 so that they would no longer be required to be “community based.”

**SB 242 HCS 1 would have a minimal positive fiscal impact and a minimal to negative fiscal impact on local governments.** Several provisions in the proposed bill would make non-substantive changes to law enforcement duties relative to children in behavioral or psychiatric distress. These changes may require training for peace officers; while training for law enforcement is provided and paid for by the Kentucky Law Enforcement Council Fund, local law enforcement offices may have to pay overtime to officers covering the shifts of those officers away for training. The bill may require local law enforcement do more transporting of juveniles to a psychiatric hospital for assessment and then return the child to their home or other facility. It is possible local law enforcement would enter into an agreement with DJJ for reimbursement for transporting such juveniles.

A local government that chooses to establish a youth alternative center to hold juveniles per Section 8 of the bill may be able to charge DJJ the cost of that service and so recoup their costs.

The requirement that DJJ shall charge counties for children lodged with the Department, other than those charged with an offense, could have a moderate negative fiscal impact on counties depending on the number of county children lodged with the Department of Juvenile Justice and on the per diem established.

Finally, the bill would require that children accused of being, or adjudicated, a status offender who are absent without leave from a DJJ facility be charged with a Class B misdemeanor. A Class B misdemeanor is punishable by up to 90 days in one of

Kentucky's 74 full-service jails or three life safety jails. While the expense of housing inmates varies by jail, this estimated impact is based on an average cost to incarcerate of \$44.97 per day. While the majority of misdemeanor defendants are granted bail, those who are not will also cost local jails an average of \$44.97 per day.

**Data Source(s):** Department of Corrections; Kentucky Law Enforcement Council;  
Department for Juvenile Justice; LRC staff

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