

Fiscal Estimate - 2017 Session

Original
 Updated
 Corrected
 Supplemental

LRB Number 17-5233/1	Introduction Number AB-0953	
Description juvenile correctional facilities, youth aids, providing an exemption from emergency rule procedures, granting rule-making authority, and making an appropriation		
Fiscal Effect		
State: <input type="checkbox"/> No State Fiscal Effect <input checked="" type="checkbox"/> Indeterminate <input type="checkbox"/> Increase Existing Appropriations <input type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget <input type="checkbox"/> Decrease Existing Appropriations <input type="checkbox"/> Decrease Existing Revenues <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Create New Appropriations <input type="checkbox"/> Decrease Costs		
Local: <input type="checkbox"/> No Local Government Costs <input checked="" type="checkbox"/> Indeterminate 1. <input type="checkbox"/> Increase Costs 3. <input type="checkbox"/> Increase Revenue 5. Types of Local Government Units Affected <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Towns <input type="checkbox"/> Village <input type="checkbox"/> Cities 2. <input type="checkbox"/> Decrease Costs 4. <input type="checkbox"/> Decrease Revenue <input checked="" type="checkbox"/> Counties <input type="checkbox"/> Others <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts		
Fund Sources Affected Affected Ch. 20 Appropriations <input checked="" type="checkbox"/> GPR <input type="checkbox"/> FED <input checked="" type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS 20.410(3)(a) & (3)(hm)		
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Fiscal Estimate Narratives

DOC 2/20/2018

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Description juvenile correctional facilities, youth aids, providing an exemption from emergency rule procedures, granting rule-making authority, and making an appropriation					

Assumptions Used in Arriving at Fiscal Estimate

This bill makes numerous changes to the structure of juvenile corrections. Under the bill, the Department of Corrections (DOC) would be required to close the Lincoln Hills and Copper Lake Schools (LHS/CLS) by July 1, 2020. This bill requires DOC to establish new Type 1 juvenile correctional facilities (JCF) for the placement of juveniles adjudicated to the Serious Juvenile Offender Program (SJOP) and minors subject to an adult criminal penalty. Under current law, juveniles adjudicated to a correctional placement are placed in a DOC JCF but under this bill, these juveniles would instead be placed in a county run or contracted secure residential treatment facility for children and youth (SRCCCY).

In order to develop and implement the standards for SRCCCYs and Type 1 JCFs, this bill creates two committees. The Juvenile Corrections Study Committee, housed in the Department of Children and Families (DCF), is responsible for determining:

- optimal sites for state-run JCFs;
- rules governing the programming and services for juveniles in SRCCCYs; and,
- Updating DOC's rules governing secure detention facilities for juveniles. This bill directs the committee to submit these recommendations to DOC no later than July 1, 2020.

This bill also creates the Juvenile Corrections Grant Committee, located in DOC. The bill directs the Juvenile Grants Committee to review and award grants for approved applications for 95 percent of the costs of establishing or constructing SRCCCYs. The bill allows counties to collaborate and jointly submit applications for multi-county SRCCCYs. The bill requires that the committee only approve facilities that house 24 or more juveniles and encourages retrofitting existing facilities. The bill requires that grant applications are submitted by March 31, 2019, but the committee may work with applicants to modify applications until June 30, 2019. DOC is responsible for approving plans prior to the committee submitting its final plan to the Joint Committee on Finance, for passive review, by July 1, 2019.

This bill also authorizes some preferential treatment for employees at LHS/CLS in applying for open positions at new state Type 1 JCFs or local SRCCCYs if they are employed at LHS/CLS when DOC or a county start hiring for new positions in Type 1 JCFs or SRCCCYs.

Since this bill establishes a new framework for juvenile corrections and charges the two committees to set standards, the DOC is unable to determine the state fiscal impact. Generally speaking, costs for state juvenile corrections will shift to GPR from PR since juveniles adjudicated to the SJOP or sentenced as adults (both are currently funded by GPR) will make up the majority of the state JCF population. While this bill does not modify the current funding structure of the Department's Division of Juvenile Corrections (DJC), DOC anticipates needing to realign PR funded positions to GPR in order to accommodate the shift in funding of juvenile corrections. In FY18, there are 288.25 PR FTE in the DOC's Type 1 JCFs.

The local fiscal impact is also indeterminate. While the bill creates a sum-sufficient appropriation to fund 95% of construction or remodel costs for locally run SRCCCYs, the design requirements of these facilities are currently unspecified. The bill expands the scope of reimbursable expenses in the Youth Aids program to include costs of placing juveniles in secure detention or in SRCCCYs. The cost to operate these local SRCCCYs, however, is indeterminate since the standards to run these facilities need to be set by the committees created in this bill.

The bill also provides the courts with an option to transfer some juveniles adjudicated to a correctional placement from a SRCCCY to a Type 1 JCF. Counties would pay the DOC a daily rate for this placement; however, the daily rate is unknown at this time.

Long-Range Fiscal Implications