



GOVERNOR'S OFFICE OF  
BUDGET AND PROGRAM PLANNING

## Fiscal Note 2021 Biennium

**Bill #** HB0111

**Title:** Transfer parole supervision of certain youth to youth court

**Primary Sponsor:** Fleming, Frank

**Status:** As Introduced

- Significant Local Gov Impact     
 Needs to be included in HB 2     
 Technical Concerns  
 Included in the Executive Budget     
 Significant Long-Term Impacts     
 Dedicated Revenue Form Attached

### FISCAL SUMMARY

	<u>FY 2020 Difference</u>	<u>FY 2021 Difference</u>	<u>FY 2022 Difference</u>	<u>FY 2023 Difference</u>
<b>Expenditures:</b>				
General Fund	\$32,912	\$32,912	\$33,406	\$33,907
<b>Revenue:</b>				
General Fund	\$0	\$0	\$0	\$0
<b>Net Impact-General Fund Balance:</b>	<u>(\$32,912)</u>	<u>(\$32,912)</u>	<u>(\$33,406)</u>	<u>(\$33,907)</u>

**Description of fiscal impact:** HB 111 will transfer the remaining funds for the responsibility of the administration and the disbursement of Juvenile Delinquent Intervention and Prevention (JDIP) funds. A portion of JDIP funds are currently appropriated to the Department of Corrections for the youth parole activities. This bill will move the remaining funds to the Office of the Court Administrator (OCA) in the Judicial Branch. In the 2015 legislative session, the legislature approved the transfer of responsibilities of JDIP funds to OCA in HB 233 for probation activities. This represented 89% of the JDIP funding. HB 111 represents the remaining 11% JDIP funds for parole activities.

### FISCAL ANALYSIS

#### Assumptions:

#### **Department of Corrections**

1. Currently, the FY 2020 and FY 2021 general fund HB 2 budget request for JDIP funds in the Department of Corrections (DOC) is \$468,350 annually.
2. The \$468,350 represents 11% of the JDIP funding and is used by Department of Corrections for youth parole activities.
3. The DOC is currently appropriated funding for 3.00 FTE to manage the juvenile placement funds. The total appropriation for these 3.00 FTE is \$156,793 in FY 2020 and \$156,793 in FY2021.

4. There is also a state special revenue fund appropriation for the cost of care contributions of \$21,224 annually to administer parole activities.
5. The total fund transfer from the DOC to Office of the Court Administrator (OCA) will be \$646,367 in FY 2020 and \$646,367 in FY 2021.

**Judicial Branch**

6. Three FTE will be transferred to the Judicial Branch to manage costs related to the management of juvenile parole supervision. Funding for the FTE of \$156,793 in FY 2020 and \$156,793 in FY 2021 would also be transferred.
7. The general fund HB 2 budget request from the DOC of \$468,350 each fiscal year will be transferred to the Judicial Branch.
8. State Special revenue fund authority for cost of care contributions in the amount of \$21,224 each year will be transferred to administer juvenile parole activities.

**Office of Public Defender**

9. HB 111 requires a public defender to represent a youth at any revocation or dispositional hearing regarding a conditional release.
10. Based on DOC’s 2017 biennial report, Office of Public Defender (OPD) expects approximately 68 youth would be entitled to representation at a revocation or dispositional hearing.
11. OPD assigns cases to its attorneys based on a weighted case system. Each revocation case is given a “weight” of 7 hours.
12. The contract attorney rate is \$56 per hour. The contractor travel rate is \$46 per hour.
13. Costs to the agency for attorney services are estimated at \$26,656 for FY 2020 and FY 2021.
14. Due to the limited number of juvenile detention facilities it is likely that at least 34 youth cases will result in addition attorney time and travel expense of \$6,256.
15. A 1.5% per year inflation factor is applied to the 2023 biennium.

	<u>FY 2020</u> <u>Difference</u>	<u>FY 2021</u> <u>Difference</u>	<u>FY 2022</u> <u>Difference</u>	<u>FY 2023</u> <u>Difference</u>
<b><u>Fiscal Impact:</u></b>				
<b><u>Expenditures:</u></b>				
Operating Expenses	<u>\$32,912</u>	<u>\$32,912</u>	<u>\$33,406</u>	<u>\$33,907</u>
<b>TOTAL Expenditures</b>	<b><u>\$32,912</u></b>	<b><u>\$32,912</u></b>	<b><u>\$33,406</u></b>	<b><u>\$33,907</u></b>
<b><u>Funding of Expenditures:</u></b>				
General Fund (01)	<u>\$32,912</u>	<u>\$32,912</u>	<u>\$33,406</u>	<u>\$33,907</u>
<b>TOTAL Funding of Exp.</b>	<b><u>\$32,912</u></b>	<b><u>\$32,912</u></b>	<b><u>\$33,406</u></b>	<b><u>\$33,907</u></b>
<b><u>Revenues:</u></b>				
General Fund (01)	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
<b>TOTAL Revenues</b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>
<b><u>Net Impact to Fund Balance (Revenue minus Funding of Expenditures):</u></b>				
General Fund (01)	(\$32,912)	(\$32,912)	(\$33,406)	(\$33,907)

Frank J Lemay  
Sponsor's Initials

1/8/2019  
Date

Tom Lin  
Budget Director's Initials

1/6/19  
Date