

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

April 17, 2013

TO: Honorable Tan Parker, Chair, House Committee on Corrections

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB529 by Turner, Sylvester (Relating to the detention of juveniles pending criminal trial.), **As Introduced**

<p>No significant fiscal implication to the State is anticipated.</p>
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The bill would amend the Family Code, the Human Resources Code, and the Code of Criminal Procedure relating to the detention of juveniles pending criminal trial. The bill provides that a juvenile facility may petition the criminal court of jurisdiction to transfer custody of a certified juvenile under the age of 17 who is pending trial to an adult facility. The bill would add the requirement that the juvenile is separated by sight and sound from adult's management staff and adults detained in same facility. The bill also removes the requirement that local juvenile boards establish a policy that specifies whether a certified juvenile who is younger than 17 years of age be detained in a juvenile facility pending trial.

The change in law made by this Act applies only to the detention of a child for conduct that occurs on or after the effective date of this Act. Detention of a child for conduct violating a penal law that occurs before the effective date of this Act is governed by the law in effect when the conduct occurred, and the former law is continued in effect for that purpose. The bill would take effect on September 1, 2013.

Local Government Impact

There could be an indeterminate impact to local governments as the result of the provisions of the bill. The bill could result in an increased number of juvenile court hearings; could result in juvenile detention cost savings to juvenile probation departments if more juveniles are moved to adult jails or lockups; and could result in cost increases for adult jails or lockups if the number of juvenile offenders housed in these facilities increases. It is assumed that the indeterminate impact to local governments will not be significant.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 644 Texas Juvenile Justice Department

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