

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

March 21, 2017

TO: Honorable Harold V. Dutton, Jr., Chair, House Committee on Juvenile Justice & Family Issues

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB1204 by White (Relating to an alternative to adjudication for certain children who engage in conduct in need of supervision or delinquent conduct.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB1204, As Introduced: a positive impact of \$659,736 through the biennium ending August 31, 2019.

Additional savings potentially associated with the decreased demand on juvenile probation programming are not included in this analysis and could be significant.

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2018	\$70,923
2019	\$588,813
2020	\$618,108
2021	\$579,100
2022	\$572,933

All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/(Cost) from General Revenue Fund
2018	\$70,923
2019	\$588,813
2020	\$618,108
2021	\$579,100
2022	\$572,933

Fiscal Analysis

The bill would amend the Family Code to provide an alternative to adjudication for individuals younger than 12 years of age who engage in conduct in need of supervision or delinquent conduct. Under the provisions of the bill, individuals younger than 12 referred to a local juvenile

probation department for certain conduct would be referred to a community resource coordination group in lieu of adjudication in the juvenile justice system. The bill would take effect on September 1, 2017, and apply to conduct that occurs on or after the effective date of the Act.

Methodology

Shifting individuals away from the juvenile justice system is expected to result in decreasing demands on counties and the State due to fewer juveniles under the supervision of local juvenile probation departments. In fiscal year 2016, there were 287 juveniles age 10 or 11 at offense in the juvenile justice system who were adjudicated. Under the provisions of the bill, all of these individuals would be eligible to be referred to a community resource coordination group and have services coordinated by that group in lieu of adjudication. This analysis assumes those juveniles disposed for violent felony offenses (36 percent) would continue to be adjudicated in the juvenile justice system and the rest (64 percent) would instead be served by community resource coordination groups. Estimated populations are based on the juvenile adjudicated probation supervision projections included in the *January 2017 Adult and Juvenile Correctional Population Projections* report and juvenile justice system disposition trends.

Savings are estimated based on the state costs per day for juvenile probation supervision (\$5.93) as reported in the *January 2017 Criminal and Juvenile Justice Uniform Cost* report and the length of supervision for the most recent group of adjudicated individuals who were age 10 to 11 at offense completing probation supervision. This estimate assumes a small time lag before the first individuals would have been disposed in the juvenile justice system after the bill becomes effective; therefore, the savings estimate for fiscal year 2018 would be approximately \$70,923. The savings estimate for fiscal year 2019 would be \$588,813. Savings in the following fiscal years would vary depending upon the estimated fluctuations in the projected population. This analysis does not include potentially significant savings associated with probation programming such as mental health, substance abuse, or other specialized services, including placement in residential post-adjudication facilities.

The Office of Court Administration indicates they do not anticipate a significant fiscal impact to the state court system.

Local Government Impact

According to the Office of Court Administration, the bill may lead to a reduced number of juvenile court prosecutions of children who are 10 or 11 years of age due to referrals for services by a community resource coordination group. According to the Juvenile Justice Department, there will be a cost to counties in convening a community resource coordination group for every youth under 12 who is referred to juvenile probation departments.

According to the Dallas County Juvenile Department, the fiscal impact to the Department to implement the provisions of the bill is not anticipated to be significant.

The Nueces County Juvenile Department anticipates no fiscal impact to the Department to implement the provisions of the bill.

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

LBB Staff: UP, FR, LM, JPo, JGA, BM