

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION

April 6, 2023

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

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB458 by Craddick (Relating to the period within which the Texas Juvenile Justice Department must accept custody of a person committed to the department and to the consequences for the failure of the department to accept custody of the person within that period.), **Committee Report 1st House, Substituted**

The fiscal implications of the bill cannot be determined due to the unknown number of youth to be committed to TJJD and the agency's capacity to take custody of youth pending admission.

The bill would require the Texas Juvenile Justice Department (TJJD) to accept custody of a youth committed to TJJD no later than 30 days after the disposition order. Under the provisions of the bill, TJJD would be required to compensate counties for detention costs after 30 days in an amount equal to the cost TJJD would have incurred. The bill would also direct TJJD to give credit towards a youth's minimum length of stay after 30 days.

TJJD indicates that it will not be able to absorb the youth pending TJJD admission in local facilities before the bill's effective date and would be required to prioritize new commitments to TJJD. The ability to admit these youth would be dependent on the number of youth committed to TJJD and state secure facility capacity and staffing levels. Based on data reported by TJJD, a daily average of approximately 123 youth were pending admission to TJJD between September 2022 and February 2023. During that period, 233 youth were committed to TJJD and placed in a local facility pending admission, and 247 youth were admitted to TJJD custody after being placed in a local facility pending admission. The average wait time for youth admitted during this period was 94 days.

The fiscal impact would be dependent on the agency's capacity to take custody of youth pending admission to TJJD and the number of committed youth not taken into custody within 30 days of commitment. Based on the February 2023 *Criminal and Juvenile Justice Uniform Cost Report*, the state uniform costs per day for a youth in TJJD's custody were \$709.66 for a state residential facility, \$296.54 for contract residential placements, and \$594.04 for halfway houses.

The bill would take effect January 1, 2024.

Local Government Impact

The fiscal implications to local juvenile probation departments would be dependent on TJJD's ability to admit youth into agency custody. Based on the February 2023 *Criminal and Juvenile Justice Uniform Cost Report*, the local uniform costs per day for a youth in a local facility were \$325.38 for a pre-adjudication detention facility and \$311.46 for a post-adjudication facility.

Source Agencies: 644 Juvenile Justice Department

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