

**Department of Legislative Services**  
Maryland General Assembly  
2007 Session

**FISCAL AND POLICY NOTE**

Senate Bill 371  
Judicial Proceedings

(Senator Muse, *et al.*)

Judiciary

**Interstate Compact for Juveniles**

This bill replaces the existing Interstate Compact for Juveniles with an updated version of the compact. The bill establishes the purpose of the compact and provides for the creation of an Interstate Commission on Juveniles and State Councils for Interstate Juvenile Supervision. The bill specifies the powers, duties, and membership requirements of the commission and state councils. The bill also provides for the appointment of a compact administrator.

The bill takes effect July 1, 2008.

**Fiscal Summary**

**State Effect:** General fund expenditures would increase by an estimated \$21,600 annually beginning in FY 2009 due to the assessment provision in the proposed revisions to the compact.

(in dollars)	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	0	21,600	21,600	21,600	21,600
Net Effect	\$0	(\$21,600)	(\$21,600)	(\$21,600)	(\$21,600)

*Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate effect*

**Local Effect:** None.

**Small Business Effect:** None.

## Analysis

**Current Law:** Chapter 520 of 1966 entered the State of Maryland into the Interstate Compact on Juveniles. The compact guides the return of juveniles to other states when their return is sought and also guides proceedings for return of Maryland residents apprehended in other states. The present compact is administered by the Department of Juvenile Services.

**Background:** Interstate compacts are formal binding contracts enacted by two or more states requiring consent from Congress under the compact clause of the U.S. Constitution. The congressional consent requirement distinguishes compacts from other forms of interstate agreements. States form compacts for purposes such as allocating debt, establishing transportation authorities, or extraditing felons.

The current Interstate Compact on Juveniles was established in 1955 to standardize state protocols in managing adjudicated youth crossing state lines. The compact provides for transfer of supervisory responsibilities between states and the return of runaway youth. The Association of Juvenile Compact Administrators estimates that the compact governs 20,000 to 30,000 transfer and supervision cases each year.

The revised Interstate Compact is intended to address deficiencies in the original agreement unanticipated when the compact was developed in 1955. Changes in mobility and information sharing have increased the complexity and number of runaway cases, as well as increased the tools available to the juvenile justice system. The new compact incorporates these changes into a regulatory structure that provides additional enforcement and accountability measures relative to the current compact. Provisions include: (1) an independent compact operating authority; (2) an interstate commission with representation from all member states; (3) rule-making and sanctioning authority; (4) an annual assessment for commission operations; (5) uniform data collection and sharing procedures; and (6) conformity with other state compacts governing corrections and placement of children.

The law provides that the compact will take effect on the later of July 1, 2008, or the date 35 states pass a similar act. As of January 1, 2007, 30 states had enacted the revised Interstate Compact for Juveniles into law; legislation is under active consideration in another six states.

**State Fiscal Effect:** A formula to allocate costs among states will likely be based on information that includes offender movement totals and demographic data. Based on preliminary calculations, the Council of State Governments estimates that Maryland would be assessed \$22,000 per year. Fees assessed provide compacting states with training, legal assistance, data collection, and various other support services. Dues under

the current Interstate Compact total \$400 per year, but do not include staffing or other support services.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Department of Juvenile Services, Judiciary (Administrative Office of the Courts), The Council of State Governments, Department of Legislative Services

**Fiscal Note History:** First Reader - February 9, 2007  
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