

Department of Legislative Services  
2010 Session

FISCAL AND POLICY NOTE  
Revised

Senate Bill 330

(Senator Zirkin, *et al.*)

Judicial Proceedings

Judiciary

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Human Services - Quality Care - Juvenile Facilities

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This bill requires the Department of Juvenile Services (DJS) to ensure that each committed facility licensed by DJS serves no more than 48 children at one time, unless the Secretary of Juvenile Services finds good cause for a facility to serve more than 48 children at one time.

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Fiscal Summary

**State Effect:** Assuming that the number of youth in committed placements remains relatively constant, the bill's provisions will not materially affect State finances.

**Local Effect:** None.

**Small Business Effect:** None.

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Analysis

**Current Law:** DJS must serve children in the juvenile services system with programming that:

- ensures the safety of the community and the children served;
- holds delinquent children accountable to victims and communities;
- assists children to develop competencies to become successful members of society;
- delivers services on a regional basis through at least four operational regions;
- ensures that a committed facility owned by DJS serves no more than 48 children at one time; and

- uses detention and committed facilities that are operationally separate from each other and that do not share common program space, including dining halls and educational or recreational facilities.

DJS operates facilities to diagnose, care for, train, educate, and properly rehabilitate children who need services. DJS is also authorized to contract with private providers to place children in other facilities that meet State licensing criteria. No current regulatory provision establishes size requirements for these facilities. Committed facilities are for the diagnosis, care, training, education, and rehabilitation of children in DJS custody.

**State Fiscal Effect:** The average daily population (ADP) of youth in committed programs is 922, which reflects year-to-date caseload in fiscal 2010. Most youth committed to residential placements by DJS are placed in private per diem facilities which can include foster care, group homes, and residential treatment centers. Certain facility types which currently have ADPs of over 48 youth (*e.g.*, residential treatment centers), are not licensed by DJS, therefore they will not be subject to the size limitations this bill imposes. DJS advises that currently all committed facilities licensed by DJS are in compliance with the size limitations imposed by this bill.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** HB 173 (Delegate Morhaim, *et al.*) - Judiciary.

**Information Source(s):** Department of Juvenile Services, Department of Legislative Services

**Fiscal Note History:** First Reader - February 2, 2010  
mpc/kdm Revised - Enrolled Bill - May 24, 2010

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