

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 1817H.01I
Bill No.: HB 736
Subject: Courts, Juvenile; Children And Minors; Courts
Type: Original
Date: February 10, 2025

Bill Summary: This proposal modifies provisions relating to court proceedings involving juveniles.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2026	FY 2027	FY 2028
General Revenue	(\$12,172,936)	(\$4,363,934)	(\$4,405,059)
Total Estimated Net Effect on General Revenue	(\$12,172,936)	(\$4,363,934)	(\$4,405,059)

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2026	FY 2027	FY 2028
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2026	FY 2027	FY 2028
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2026	FY 2027	FY 2028
General Revenue	47 FTE	47 FTE	47 FTE
Total Estimated Net Effect on FTE	47 FTE	47 FTE	47 FTE

- ☒ Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act or at full implementation of the act.
- ☐ Estimated Net Effect (savings or increased revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act or at full implementation of the act.

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2026	FY 2027	FY 2028
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

§§211.073, 211.181, 219.021, 455.010, 455.035, and 455.513 – Court proceedings involving juveniles

Officials from the **Department of Social Services (DSS)** state the language in §211.073 broadens the age cohort for certified youth that “shall” be considered for dual jurisdiction sentencing. The change moves eligibility for consideration from “under eighteen” to “under nineteen” years of age. The statutorily required “consideration” of dual jurisdiction for this new age group will result in an increased number of court-ordered Division of Youth Services (DYS) assessments and consequentially some older youth will be new entries into the program.

Overall, DSS is seeing the number of certifications escalating. There has been a 235% increase from 31 certifications in CY 2020 to 104 certifications in CY 2024. Thus far in SFY25, 54 certifications have been recorded, indicating that the total is on track to exceed CY 2024. There are several factors, including a renewed focus on community safety and policing that are contributing to an overall increase in the number of traditionally committed youth - up 60% since 2021. Currently, the DYS is operating at capacity. Youth that score in the “secure” placement category are waiting significant periods of time in detention before placement in DYS programs is possible. This includes youth that enter the dual jurisdiction program, as these youth score in the “secure” placement category.

DSS assumes 70% of the 104 certified youth received sentencing between the ages of eighteen and nineteen. (Office of the State Court Administrator was unable to provide data).

$0.70 \times 104 = 72.8$ newly eligible dual jurisdiction candidates.

DSS knows that approximately 20% of certifications result in an ordered assessment for dual jurisdiction.

$0.20 \times 72.8 = 14.56$ new assessments ordered annually

Most recent data indicates that approximately 30% of those assessments result in dual jurisdiction program entries.

$0.30 \times 14.56 = 4.37$ new youth entering dual jurisdiction annually

4.37 (Five) new youth entering annually with three-year stays results in a three-year cycle of a need for 15 new beds. Given growth in all areas of DSS’ work and adherence to the DYS model, a new 16 bed facility operating 2 groups of 8 youth each would be required to serve this population. DYS estimates 47 FTE would be required to operate this facility.

They stated there would be no staffing costs until the building is built and finished (FY26- 3 Month). The estimated building costs include \$10,104,048 plus \$500,000 for land acquisition.

Oversight has no information to the contrary. Therefore, Oversight will present the fiscal impact of this proposal as provided by DSS-DYS.

Officials from the **Office of Administration**, the **Clay County Auditor** and the **Office of the State Courts Administrator** each assume the proposal will have no fiscal impact on their respective organizations. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

Oversight only reflects the responses received from state agencies and political subdivisions; however, various county officials were requested to respond to this proposed legislation but did not. A listing of political subdivisions included in the Missouri Legislative Information System (MOLIS) database is available upon request.

<u>FISCAL IMPACT – State Government</u>	FY 2026 (3 Mo.)	FY 2027	FY 2028
GENERAL REVENUE FUND			
<u>Costs – DSS (\$211.073)</u>			
Personal service	(\$598,497)	(\$2,417,928)	(\$2,442,107)
Fringe benefits	(\$408,451)	(\$1,643,082)	(\$1,652,454)
Equipment and expense	(\$561,940)	(\$302,924)	(\$310,498)
Land acquisition and building cost	<u>(\$10,604,048)</u>	<u>\$0</u>	<u>\$0</u>
<u>Total Costs - DSS</u>	<u>(\$12,172,936)</u>	<u>(\$4,363,934)</u>	<u>(\$4,405,059)</u>
FTE Change - DSS	47 FTE	47 FTE	47 FTE
ESTIMATED NET EFFECT ON THE GENERAL REVENUE FUND	<u>(\$12,172,936)</u>	<u>(\$4,363,934)</u>	<u>(\$4,405,059)</u>
Estimated Net FTE Change on the General Revenue Fund	47 FTE	47 FTE	47 FTE

<u>FISCAL IMPACT – Local Government</u>	FY 2026 (10 Mo.)	FY 2027	FY 2028
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT – Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

FISCAL DESCRIPTION

Currently, when an offender is under 18 years old and has been convicted or has pled guilty in a court of general jurisdiction after a certification hearing, the court must consider dual jurisdiction under the adult and juvenile criminal codes. A court must also hold a hearing when an offender who has received a suspended imposition of sentence reaches the age of 18. This bill increases the references of age from 18 to 19 years old. (§211.073)

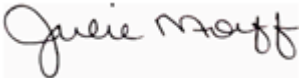
Currently, the Division of Youth Services is prohibited from keeping a youth beyond the youth's 18th birthday. This bill allows the Division to keep a youth until the youth's 19th birthday.

The bill amends the definitions of "adult" and "child" in Chapter 455, RSMo, related to protective orders resulting from adult abuse. Currently, "adult" is defined as any person 17 years of age or older, and "child" is defined as any person under 17 years of age. This bill increases the age reference from 17 to 18. (§219.021)

This legislation is not federally mandated, would not duplicate any other program and could require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Social Services
Office of Administration
Clay County Auditor
Office of the State Courts Administrator

A handwritten signature in black ink, appearing to read "Julie Morff".

Julie Morff
Director

February 10, 2025

A handwritten signature in black ink, appearing to read "Jessica Harris".

Jessica Harris
Assistant Director

February 10, 2025