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FISCAL IMPACT REPORT

ORIGINAL DATE 1-21-06

SPONSOR Swisstack LAST UPDATED _____ HB 63

REGIONAL JUVENILE JUSTICE PROGRAMS

SHORT TITLE _____ SB _____

ANALYST Lucero

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY06	FY07		
\$0.0	\$2,000.0	Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

Duplicates SB125,

Relates to Appropriation in the General Appropriation Act

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Non-Rec	Fund Affected
FY06	FY07	FY08		
	\$2,000.0	\$0.0	Recurring	Juvenile Services Grant Fund

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Children, Youth and Family Department (CYFD)

SUMMARY

House Bill 63 appropriates \$2,000.0 from the GENERAL FUND for expenditure in 2007 and subsequent years to the regional juvenile services grant fund for the purpose of funding the Regional Juvenile Services Act.

FISCAL IMPLICATIONS

This appropriation was not part of CYFD's request.

The Executive recommendation for CYFD contained \$1,500.0 for the Regional Juvenile Services Act.

This bill would replace the federal Juvenile Accountability Block Grant funds that the federal government has reduced.

State Statute 33-12-3 NMSA 1978 creates the regional juvenile services grant fund in the state treasury.

State Statute 33-12-4 provides for the administration of regional juvenile services grant fund; regulations; disbursements from fund.

A. The children, youth and families department shall administer the regional juvenile services grant fund and make grants pursuant to the provisions of the Regional Juvenile Services Act [33-12-1 to 33-12-7 NMSA 1978].

B. The juvenile justice advisory committee of the children, youth and families department shall review and approve all grant applications submitted pursuant to the provisions of the Regional Juvenile Services Act. The department of finance and administration, in conjunction with the children, youth and families department, shall stipulate the format and absolute deadlines for grant applications and the manner in which expenditures shall be reported.

The fund is non-reverting; therefore, the appropriation to the fund shall not revert to the general fund.

SIGNIFICANT ISSUES

The appropriation specifies that the expenditure will occur in accordance with the provisions of the Regional Juvenile Services Act; however, it does not specify exactly what is being funded and what outcomes are expected.

The Regional Juvenile Services Grant statute:

33-12-3. Regional juvenile services grant fund; purpose.

A. The "regional juvenile services grant fund" is created in the state treasury.

B. All money appropriated to the regional juvenile services grant fund, or accruing to the fund as a result of a gift or deposit, shall not be transferred, encumbered or disbursed in any manner, except as provided pursuant to the provisions of the Regional Juvenile Services Act [33-12-1 to 33-12-7 NMSA 1978]. Interest earned on the fund shall be credited to the general fund.

C. Money in the regional juvenile services grant fund shall be used for the purpose of assisting units of local or tribal government with:

1. provision of temporary, nonsecure alternatives to detention for juveniles who have been referred to the juvenile probation and parole office;
2. planning, assessment and design of a regional system of juvenile services, including

- secure detention and nonsecure alternatives, that serves multiple contiguous counties, municipalities, Indian tribes or pueblos; or
3. development of multipurpose regional facilities that serve multiple contiguous counties, municipalities, Indian tribes or pueblos.
- D. A multipurpose regional facility developed with money from the regional juvenile services grant fund shall conform to standards for detention facilities set forth in the Children's Code [Chapter 32A NMSA 1978] and administrative regulations governing detention facilities promulgated by the children, youth and families department. A multipurpose regional facility shall not be used for the detention or supervision of adults.

PERFORMANCE IMPLICATIONS

CYFD did not identify any performance implications.

It should be noted that CYFD will be impacted indirectly if the general fund does not replace these lost federal funds. These federal funds have traditionally been spent on non-detention programming. If juvenile probation and parole officers can't treat juveniles outside of detention, the CYFD facilities will experience an increase in the detention population.

ADMINISTRATIVE IMPLICATIONS

Children, Youth and Families Department would absorb the administrative costs associated with the bill.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

Duplicates SB125.

TECHNICAL ISSUES

The appropriation is to the regional juvenile service grant fund which is administered by CYFD. The bill may want to mention CYFD as the department to receive the funds.

The appropriation, being to the regional juvenile service grant fund, will not revert.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Several of the current sites will no longer be able to fund the programs and services they currently are able to offer. The remaining sites would have to reduce the numbers of juveniles currently receiving services due to reductions in federal funding.