

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action:	Do Pass as Amended and Be Printed Engrossed
Vote:	10 - 0 - 0
Yeas:	Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith J., Stiegler, Whisnant, Barker
Nays:	0
Exc.:	0
Prepared By:	Bill Taylor, Counsel
Meeting Dates:	4/13

WHAT THE MEASURE DOES: Allows a county to adopt standards for releasing juvenile offenders when the county's juvenile detention facility's capacity is exceeded. Allows the county's juvenile department director to release juvenile offenders in order to reduce the facility's population to capacity. Establishes a procedure for release of juvenile offenders sent pursuant to contract by one county to another county's juvenile facility or a regional facility to the number agreed to in the contract. Provides that the measure does not create a cause of action.

ISSUES DISCUSSED:

- Juvenile departments need the discretion to release juveniles when facilities are overcrowded

EFFECT OF COMMITTEE AMENDMENT: Deletes the provision relating to criminal and civil liability and replaces it with a provision that this measure does not create a cause of action.

BACKGROUND: Currently, if a county establishes a capacity limit for the county's juvenile detention facility, the county must notify the judge of the juvenile court located in the county when the limit is exceeded. In that event, the juvenile court judge shall authorize the county to release juveniles from the facility so that the population does not exceed capacity.