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Office of Research and Drafting

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H.B. 571
136th General Assembly

Fiscal Note & Local Impact Statement

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Version: As Introduced

Primary Sponsors: Reps. Williams and Bird

Local Impact Statement Procedure Required: Yes

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Highlights

- Juvenile courts will potentially see significant cost increases to provide sentencing-related services including treatment and supervision to juveniles who reside outside of the county in which the court is located.
- Certain courts could see a reduction in annual state funding through RECLAIM administered by the Department of Youth Services if the overall number of youth adjudicated in the court decreases. The magnitude of any decrease – or increase – is indeterminate.

Detailed Analysis

The bill removes the option under current law for a court of common pleas juvenile court to transfer a proceeding against a juvenile to the county where the juvenile resides. Under current law, a juvenile court is permitted to transfer a proceeding from the county in which the proceeding is commenced to the child's county of residence on its own motion or motion of a party to the proceeding. A court is also permitted to transfer the proceeding back to the original county or to another county should the child's residence change.

While most courts may see additional cases which otherwise would have been transferred out offset somewhat by a reduction in cases which would otherwise have been transferred in, the bill could have significant impact through increased sanctioning costs for offenders who do not live in the county. Under current law and practice a juvenile can be tried in one county and transferred to their home county for sentencing. Under the bill, the county in which the proceeding is commenced would bear the cost of sentencing. Increased costs to each court would be dependent on the number of cases affected and the types of sentencing, but may

include increased treatment and probation costs, which court practitioners suggest could be significant.

RECLAIM

The changes to current law transfer procedures may affect a county's funding through the RECLAIM Program operated by the Department of Youth Services (DYS). Under RECLAIM, DYS provides as much as half of a juvenile court's annual budget. Funding is allocated to counties through a formula based upon each county's proportion of statewide felony delinquent adjudications. Courts that see a decrease in youth adjudications will see a corresponding decrease in RECLAIM funding. Alternately, courts which see an increase in adjudications will see a corresponding increase in funding. Any change in funding is wholly dependent on a court's proportion of adjudications.

Under the formula, the fiscal allocations for juvenile courts (as well as those for DYS's juvenile correctional facilities and community corrections facilities) are established at the beginning of each fiscal year. Under H.B. 96 of the 136th General Assembly, DYS planned to allocate $32.6 million in RECLAIM funding for the RECLAIM County Subsidy Program for each of FY 2026 and FY 2027.

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