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## DEPARTMENT OF YOUTH SERVICES (DYS)

- Requires the Department of Youth Services to coordinate and assist juvenile justice systems by visiting and inspecting jails, detention facilities, correctional facilities, facilities that may hold juveniles involuntarily, and any other facility that may temporarily house juveniles on a voluntary or involuntary basis for the purpose of compliance with the federal "Juvenile Justice and Delinquency Prevention Act of 1974."
- Requires a county and the juvenile court that serves the county to prioritize the use of the moneys in the county treasury's Felony Delinquent Care and Custody Fund to research-supported, outcome-based programs and services.
- Authorizes the sale of DYS facilities that are closed before January 1, 2012.

### Inspection of juvenile facilities

(R.C. 5139.11(K)(1)(g))

Prior law required the Department of Youth Services to coordinate and assist juvenile justice systems by performing a list of specified duties. The act adds an additional duty to this list by requiring the Department to visit and inspect jails, detention facilities, correctional facilities, facilities that may hold juveniles involuntarily, or any other facility that may temporarily house juveniles on a voluntary or involuntary basis for the purpose of compliance pursuant to the "Juvenile Justice and Delinquency Prevention Act of 1974," 88 Stat. 1109, as amended.

### Prioritization for the use of moneys in a Felony Delinquent Care and Custody Fund

(R.C. 5139.43(B)(2)(a)(iii))

Law generally unchanged by the act specifies uses for the moneys in the county treasury's Felony Delinquent Care and Custody Fund. However, the law does not prioritize the use of the moneys in the Fund. The act requires a county and the juvenile court that serves the county to prioritize the use of the moneys in the Fund to research-supported, outcome-based programs and services.



## **Sale of Department of Youth Services facilities**

(Section 753.30)

The act authorizes the Director of Administrative Services and the Director of Youth Services to sell any facility under the management and control of the Department of Youth Services if the facility is closed before January 1, 2012, and the Director of Administrative Services determines the property is no longer required for state purposes. The facility must be sold pursuant to a bidding process conducted by the Director of Administrative Services at a price acceptable to both Directors. The contract of sale must require the purchaser to give preference in hiring to employees or former employees of the Department of Youth Services displaced by the closure of the facility located on the property and a binding commitment that irrevocably grants to the state a right to repurchase the facility and the real property on which it is situated, any surrounding land that is to be transferred under the contract, or both if: (1) the purchaser or the purchaser's successor wants to sell or otherwise transfer to a third party the facility and real property on which it is situated, any surrounding land transferred under the sale, or both or (2) the purchaser defaults on any financial agreement for the purchase of the facility and real property on which it is situated, any surrounding land transferred under the sale, or both, defaults on any term of the contract, or becomes insolvent or unable to meet its contractual obligations. Under (1), the purchaser or successor first must offer the facility or property to the state at least 120 days before it intends to make the transfer to the third party. In either situation, the state's purchase price must be not greater than the price the contractor paid, less depreciation from the time of the conveyance to the purchaser, plus the depreciated value of any capital improvements funded by anyone other than the state after the conveyance to the purchaser. The deed to the purchaser is to be prepared by the Auditor of State with the assistance of the Attorney General and executed by the Governor. The act requires that the proceeds of the sale be deposited into the Adult and Juvenile Correctional Facilities Bond Retirement Fund to retire state bonds that were issued for the transferred facilities. Section 753.30, which authorizes and sets forth the details pertaining to the sale of the facility, expires September 29, 2013.

