Ohio Legislative Service Commission

Maggie Wolniewicz

Fiscal Note & Local Impact Statement

Bill: S.B. 122 of the 129th G.A. **Date**: May 16, 2011

Status: As Reported by Senate Judiciary Civil Justice **Sponsor**: Sen. Oelslager

Local Impact Statement Procedure Required: No

Contents: Interstate Compact for Juveniles

State Fiscal Highlights

STATE AGENCY	FY 2012 – FUTURE YEARS
Department of Youth Services	
Revenues	- 0 -
Expenditures	Annual increase estimated at $27,000 for yearly compact dues; Potential minimal annual increase for staffing assistance to state council

Note: The state fiscal year is July 1 through June 30. For example, FY 2012 is July 1, 2011 – June 30, 2012.

- The Department of Youth Services will incur costs to serve as the state agency responsible for administering the Interstate Compact for Juveniles in Ohio, most notably annual dues at estimated $27,000. The Department may incur minimal annual costs to provide staffing assistance to the six-member State Council for Interstate Supervision.

Local Fiscal Highlights

LOCAL GOVERNMENT	FY 2011 – FUTURE YEARS
Counties (juvenile courts)	
Revenues	- 0 -
Expenditures	Potential savings effect

Note: For most local governments, the fiscal year is the calendar year. The school district fiscal year is July 1 through June 30.

- The bill will enable juvenile courts to more efficiently track, transfer, and supervise adjudicated juvenile delinquents, status offenders, and runaways. As a result, juvenile courts may realize some savings in their annual operating costs, the magnitude of which is not readily measurable in terms of dollars and cents.

Detailed Fiscal Analysis

Interstate Compact for Juveniles

The bill repeals the 1955 Interstate Compact on Juveniles, a multi-state agreement adopted by Ohio in 1957, and replaces it with the 2008 Interstate Compact for Juveniles. The 2008 compact provides the procedural means to regulate the movement of juveniles under court supervision across state lines and is intended to address problems that exist under the current compact, such as nonuniformity among states, lack of means of enforcement, and lack of modern means to exchange information between states. As of July 2010, the 2008 compact had been adopted by 45 other states. The compact provides that it becomes effective and binding when the 35th state adopts the necessary enabling legislation, which occurred in 2008.

Under the bill, the Department of Youth Services will serve as the state agency responsible for administering the Interstate Compact for Juveniles in Ohio and the Director of Youth Services will serve as the state's compact administrator. As a result, the Department will incur additional costs to administer and comply with the requirements of the new compact. The costs incurred primarily result from two components of the compact: (1) the Interstate Commission for Juveniles and (2) the State Council for Interstate Juvenile Supervision.

Interstate Commission for Juveniles

The 2008 compact created the Interstate Commission for Juveniles, an independent compact operating authority charged with creating uniformity among compacting states and administering ongoing compact activity, including the ability to make rules, enforce compliance, and provide dispute resolution. As stipulated by the compact, each participating state is to have a commissioner that will act as the state's voting representative and assist with compact administration.

The bill requires the Director of Youth Services, or the Director's designee, to serve as Ohio's commissioner and specifies that any fines, fees, or costs assessed against the state by the Commission are to be paid by the Department. As such, the Department will be responsible for paying the annual assessment charged to compacting states which is used to pay the Commission's operating expenses. These assessments are determined through a formula based on population and juvenile transactions. The Commission has projected Ohio's assessment at $27,000 per year. Any additional costs incurred would depend on the extent to which fines, fees, or other costs are assessed against the state.

State Council for Interstate Juvenile Supervision

The compact requires each compacting state to create a state council for interstate juvenile supervision. The bill establishes the six-member State Council for Interstate Supervision in the Department of Youth Services. The Council's role is to direct Ohio's participation in Commission activities, develop state policy concerning operations and procedures of the compact within Ohio, and perform other duties as assigned under the compact. Members would not be compensated for their services or eligible for the reimbursement of any expenses incurred in the performance of their duties and responsibilities. Presumably, any staffing assistance would be provided at minimal annual cost by employees of the Department of Youth Services.

Juvenile courts

The bill will have no direct fiscal effect on Ohio's juvenile courts, as it does not change the manner in which those courts conduct business. Instead, by adopting the 2008 compact, the bill is likely to improve the management of juvenile justice system information. Under the new compact, juvenile courts will be able to more efficiently track, transfer, and supervise adjudicated juvenile delinquents, status offenders, and runaways which may result in some savings in annual operating costs, the magnitude of which is not readily measurable in terms of dollars and cents.

SB0122SR.docx / th