



Senate Fiscal Agency
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Senate Bill 700 (Substitute S-1 as reported)
Senate Bills 893 and 894 (as reported without amendment)
Sponsor: Senator Sylvia Santana
Committee: Judiciary and Public Safety

CONTENT

Senate Bill 700 (S-1) would amend the juvenile code to do the following:

- Modify various provisions to refer to "juvenile" instead of "child".
- Revise, until September 20, 2021, the definition of "juvenile" to apply to a person who was less than 17 years old.
- Require a court promptly to notify the Department of Health and Human Services (DHHS) if a juvenile were taken into custody for violating certain court orders and was detained in a secure facility.
- Delete a provision allowing a court to order a child who ran away from home into custody pending hearing.
- Require the secure facility to ensure that an appropriately trained, licensed, or certified mental health substance abuse professional interview a detained juvenile in person within 24 hours of detainment to assess his or her immediate needs, and to submit the assessment to the court within 48 hours of the assessment.
- Require the court to conduct a hearing to determine whether there was a reasonable cause to believe the juvenile violated the court order and the appropriate placement of the juvenile.
- Delete language prohibiting juveniles from being detained under certain circumstances in any secure facility designed to physically restrict his or her movement and activities.
- Allow a court to enter certain additional orders of disposition that were appropriate for the welfare of a juvenile and society.

Senate Bill 893 would amend the Youth Rehabilitation Services Act to change citations to the Michigan Compiled Laws (MCL) sections that Senate Bill 700 (S-1) would amend.

Senate Bill 894 would amend the Juvenile Boot Camp Act to changes citations to the MCL sections that Senate Bill 700 (S-1) would amend.

Senate Bills 893 and 894 are tie-barred to Senate Bill 700, and Senate Bill 700 (S-1) is tie-barred to Senate Bill 893 and 894.

MCL 712A.1 et al. (S.B. 700)
803.307 (S.B. 893)
400.1305 (S.B. 894)

Legislative Analyst: Stephen Jackson

FISCAL IMPACT

Senate Bill 700 (S-1) would have a fiscal impact on the DHHS and on local units of government. The proposed changes would bring Michigan into compliance with the Federal

Juvenile Justice Reform Act of 2018. The Act was designed to enhance existing Federal law, which restricts placement of "nondelinquent" status offenses (such as running away from home, truancy, parental disobedience) into secure facilities without a valid court order. In order to continue to meet Federal requirements, the bill would add several requirements for secure facility placements. The DHHS notes that if these changes are not enacted, the State would have the following changes to Federal juvenile justice funding:

- 20.0% of local youth and families project and service funding would be lost (approximately \$181,600).
- 50.0% of remaining funding, approximately \$363,200, would have to be redirected from existing services for youth and families to comply with the Federal requirements.

The bill also could have a negative fiscal impact on local courts. The bill would change hearing procedures and would add a requirement for courts to notify the Department when a juvenile was in custody for violating a court order. These required actions likely would increase administrative and hearing costs for probate courts, but these costs likely would be absorbed by existing funding.

Senate Bills 893 and 894 would have no direct fiscal impact on State or local government. The fiscal impact would be indirect because their language would implement changes included in Senate Bill 700 (S-1).

Date Completed: 10-1-20

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