

# **SOUTH DAKOTA LEGISLATIVE RESEARCH COUNCIL**

## **FISCAL NOTE, 2019 LEGISLATIVE SESSION**

FISCAL NOTE 2019-SB67A

SB 67 revise provisions regarding commitment of a child adjudicated as delinquent.

The change in SB 67 would allow a judge to commit a child to the Department of Corrections (DOC) if probation proved to be unsuccessful and there were no other services or options available in the community.

Based on information provided by the Unified Judicial System (UJS), it is estimated that 384 children would fit the eligibility requirements proposed in SB 67 each year. Further, it is estimated that 104 of these would have been on probation for a felony conviction. Considering the courts would likely view these cases with higher priority, the 104 felony cases were used as the baseline of this analysis. SB 67 does not bar the courts from committing any number of the remaining 280 delinquent children charged in misdemeanor cases, nor require the commitment of the 104 with felony convictions.

Based on information provided by the DOC, the statewide average cost to commit delinquent children to group homes is \$176.89 per day and the average length of stay is 178 days. The cost to commit delinquent children to Psychiatric Residential Treatment Facilities (PRTF) or Intensive Residential Treatment facilities (IRT) is \$282.39 per day and the average length of stay is 376 days.

Based on information provided by the DOC, it is estimated that 50% of the delinquent children would go to group homes, while the remaining 50% would go to PRTF or IRT facilities.

Based on information provided by the DOC, it is estimated that 50% of the children who were committed would be Medicaid eligible. The general fund cost is estimated to be \$4,792,791 and the Medicaid federal fund cost is estimated to be \$2,365,792.

The total estimated fiscal impact of SB67 is expected to be \$7,158,583, in a typical year.

APPROVED BY: Jason Handcock DATE: 02/15/2019

