

SOUTH DAKOTA LEGISLATIVE RESEARCH COUNCIL

2022 South Dakota Legislature

FISCAL NOTE 2022-FN198A

SB 198 – An Act to revise provisions related to juvenile offenders.

This bill would repeal provisions previously made by chapter 152 of the 2015 Session Laws (SB 73), otherwise known as the Juvenile Justice Public Safety Improvement Act (JJPSIA).

In practice, the JJPSIA reduces juvenile commitments to custody using community-based services and diversion programs. The passage of this bill would reverse those changes to the juvenile justice system and increase the number of juveniles in the care of the Department of Corrections (DOC).

Before the passage of the JJPSIA, in FY 2014, DOC placed 254.6 juveniles with various in-state and out-of-state providers. For FY 2023, DOC currently projects it will place 107.4 juveniles. Further, in FY 2014, DOC had 47.5 FTE in juvenile corrections to manage the increased number of placements. For FY 2023, DOC has requested 23.7 FTE for juvenile corrections.

This bill would likely lead to DOC having to place an additional 147.2 juveniles and having to hire an additional 23.8 FTE in juvenile corrections to match FY 2014 populations, the State would be expected to spend at least an additional \$9,839,912 from the General Fund on an ongoing basis, including \$8,307,597 for additional juvenile placements and \$1,532,315 for additional staff.

The Department of Social Services has budgeted \$1,788,894 from the General Fund for functional family therapy and \$275,534 substance use disorder services related to the JJPSIA for FY 2023. For the purposes of this fiscal note, it is assumed these services would no longer be utilized with the passage of this bill, and the money spent on these services would be saved on an ongoing basis.

In total, the ongoing cost to the State if this bill were to pass would be an additional \$7,775,484 from the General Fund.

Data for this fiscal note was provided by the Department of Corrections and the Department of Social Services.

APPROVED BY: Not signed

DATE: --/--/----

Director, Legislative Research Council