

Amendment No. 215

Senate Amendment to Senate Bill No. 385	(BDR 5-506)
Proposed by: Senate Committee on Judiciary	
Amends: Summary: Yes Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes	

ASSEMBLY ACTION			Initial and Date	SENATE ACTION			Initial and Date		
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____	Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.

EGO



Date: 4/18/2021

S.B. No. 385—Revises provisions relating to funding for the implementation of certain programs and practices in the juvenile justice system.
(BDR 5-506)



SENATE BILL NO. 385—COMMITTEE ON JUDICIARY

(ON BEHALF OF THE LEGISLATIVE COMMITTEE ON
CHILD WELFARE AND JUVENILE JUSTICE)

MARCH 26, 2021

Referred to Committee on Judiciary

SUMMARY—~~[Revises provisions relating to funding for the implementation of certain programs and practices]~~ Requires the Division of Child and Family Services of the Department of Health and Human Services to conduct a study during the 2021-2022 legislative interim concerning investments in ~~the~~ juvenile justice ~~[system.]~~ prevention activities in this State. (BDR ~~[S-506])~~ S-506]

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~[omitted material]~~ is material to be omitted.

AN ACT relating to protection of children; ~~[revising provisions relating to funding for the implementation of evidence-based programs and practices]~~ requiring the Division of Child and Family Services of the Department of Health and Human Services to conduct a study during the 2021-2022 legislative interim concerning investments in ~~the~~ juvenile justice ~~[system.]~~ prevention activities in this State; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

~~[Existing law]~~ This bill requires the Division of Child and Family Services of the Department of Health and Human Services ~~[and each department of juvenile services that receives money from the State, other than money received from the State Plan for Medicaid, to use such money to develop, promote and coordinate evidence-based programs and practices. (NRS 62B.630) This bill authorizes a department of juvenile services to submit a report by July 31 of each year to the Division of Child and Family Services of the number of children who were diverted from a state facility for the detention of children to a local facility for the detention of children or a regional facility for the treatment and rehabilitation of children within the jurisdiction of the department of juvenile services during the immediately preceding fiscal year as a result of the implementation of the evidence-based programs and practices. This bill requires the Division to calculate the savings from money appropriated to the Division for the costs of state facilities for the detention of children as a result of such diversions in that fiscal year. Except during a fiscal emergency and only to the extent that any money calculated as savings is available at the end of a fiscal year, this bill provides that the savings does not revert to the State General Fund and is required to be carried forward to the next fiscal year and distributed equitably to each department of juvenile services that~~

submitted a report to use for implementing evidence-based programs and practices. This bill provides that any such savings remaining at the end of the fiscal year to which the savings was carried forward reverts to the State General Fund.] to conduct a study during the 2021-2022 legislative interim concerning investments in juvenile justice prevention activities in this State, which are activities or programs to reduce the number of children committed to state facilities. This bill requires the Division to submit a report of the study to the Juvenile Justice Oversight Commission and the Director of the Legislative Counsel Bureau for transmittal to the Legislative Committee on Child Welfare and Juvenile Justice on or before August 1, 2022.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. ~~[Chapter 62B of NRS is hereby amended by adding thereto a new section to read as follows:~~

~~1. A department of juvenile services may submit to the Division of Child and Family Services by July 31 of each year a report of the number of children who were diverted from a state facility for the detention of children to a local facility for the detention of children or a regional facility for the treatment and rehabilitation of children under the jurisdiction of the department of juvenile services during the immediately preceding fiscal year as a result of the implementation of evidence-based programs and practices developed, promoted or coordinated pursuant to subsection 1 of NRS 62B.630.~~

~~2. The Division of Child and Family Services shall evaluate each report submitted pursuant to subsection 1 and calculate the savings from money appropriated to the Division of Child and Family Services for the costs of state facilities for the detention of children as a result of such diversions for that fiscal year.~~

~~3. Except during the existence of a fiscal emergency, any money calculated as savings by the Division of Child and Family Services pursuant to subsection 2 which is available at the end of the fiscal year does not revert to the State General Fund and must be carried forward to the next fiscal year and distributed in an equitable manner to each department of juvenile services that submitted a report pursuant to subsection 1 to use to implement the evidence-based programs and practices developed, promoted or coordinated pursuant to subsection 1 of NRS 62B.630. Any such money identified as savings that has not been used or committed for expenditure by such a department of juvenile services by the end of the fiscal year to which the money was carried forward reverts to the State General Fund.] (Deleted by amendment.)~~

Sec. 1.5. 1. During the 2021-2022 legislative interim, the Division of Child and Family Services of the Department of Health and Human Services shall conduct a study concerning investments in juvenile justice prevention activities in this State. In conducting the study, the Division shall consult with the chief probation officers in the counties, regional facilities for the treatment and rehabilitation of children and any other person or entity that the Division determines to have special knowledge or interest in juvenile justice prevention activities.

2. The study must include:

(a) A review of current investments in juvenile justice prevention activities within this State;

(b) A survey of best practices and funding mechanisms for juvenile justice prevention activities in other jurisdictions; and

(c) Recommendations for improving investments in juvenile justice prevention activities in this State.

3. On or before August 1, 2022, the Division shall submit a report of the study to the Juvenile Justice Oversight Commission established by NRS 62B.600 and the Director of the Legislative Counsel Bureau for transmittal to the Legislative Committee on Child Welfare and Juvenile Justice created by NRS 218E.705.

4. As used in this section:

(a) "Juvenile justice prevention activity" means an activity or program that is designed to reduce problematic behavior or conditions in order to decrease the number of children committed to a state facility for the detention of children.

(b) "Regional facility for the treatment and rehabilitation of children" has the meaning ascribed to it in NRS 62A.280.

(c) "State facility for the detention of children" has the meaning ascribed to in NRS 62A.330.

Sec. 2. Notwithstanding the provisions of NRS 218D.430 and 218D.435, a committee, other than the Assembly Standing Committee on Ways and Means and the Senate Standing Committee on Finance, may vote on this act before the expiration of the period prescribed for the return of a fiscal note in NRS 218D.475. This section applies retroactively from and after March 22, 2021.

Sec. 3. This act becomes effective on July 1, 2021.