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Senate Bill No. 356—Committee on Judiciary

CHAPTER.....

AN ACT relating to youthful offenders; providing for a study of certain issues relating to the housing of youthful offenders; requiring the transmittal of a report of the findings of the study to the Legislative Committee on Child Welfare and Juvenile Justice; making an appropriation; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law creates the Legislative Committee on Child Welfare and Juvenile Justice and directs the Committee to evaluate and review various issues relating to child welfare and juvenile justice in this State. (NRS 218E.700-218E.720) During the 2019 Legislative Session, the Legislature enacted legislation requiring the Committee to conduct a study during the 2019-2020 interim concerning juvenile detention in this State, which included, without limitation: (1) consideration of the implementation of a regional approach to the housing of juvenile offenders in this State, through which the Nevada Department of Corrections retains jurisdiction over juvenile offenders who are housed locally in other local or state institutions or facilities for the detention of juvenile offenders; (2) a review of the adequacy of the current capacity of institutions and facilities in this State to house juvenile offenders; and (3) a review of the programs and services in other states where juvenile offenders who are tried as adults are housed with juvenile offenders within the juvenile justice system. (Chapter 382, Statutes of Nevada 2019, at page 2425)

Section 1 of this bill requires the Department of Corrections and the Division of Child and Family Services of the Department of Health and Human Services, in consultation with the Juvenile Justice Oversight Commission and other stakeholders, to study the feasibility of: (1) housing youthful offenders regionally, in facilities of the Division of Child and Family Services or in county facilities; and (2) developing a new model relating to the housing of youthful offenders in which youthful offenders who are between 18 and 24 years of age, who have been convicted as adults and who will be released from confinement before reaching 25 years of age would be housed separately from offenders who will not be released from confinement before reaching 25 years of age. **Section 1** of this bill also requires that not later than July 1, 2022, the Department of Corrections and the Division must prepare and submit a report of the findings of the study to the Director of the Legislative Counsel Bureau for transmittal to the Committee. **Section 1.5** of this bill makes an appropriation to the Division for the costs of conducting the study.

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

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

Section 1. 1. The Department of Corrections and the Division of Child and Family Services of the Department of Health and Human Services, in consultation with the Juvenile Justice



Oversight Commission and other stakeholders, shall study the feasibility of: (1) housing youthful offenders regionally, in facilities of the Division or in county facilities; and (2) developing a new model relating to the housing of youthful offenders in which youthful offenders who are between 18 and 24 years of age, who have been convicted as adults and who will be released from confinement before reaching 25 years of age would be housed separately from offenders who will not be released from confinement before reaching 25 years of age. The study must include, include, without limitation, a review and consideration of the following issues:

(a) With respect to housing youthful offenders regionally, in facilities of the Division or in county facilities:

(1) An investigation of the costs of upgrading facilities or new construction.

(2) The complexities of entering into a memorandum of understanding between the Department and the Division whereby appropriately trained staff of the Department would, if necessary, be assigned to work in facilities of the Division.

(3) Any potential savings in costs at the Department resulting from no longer housing youthful offenders that could potentially be shifted to the Division or to counties.

(4) Any other issues relating to budgeting.

(5) An analysis of the costs and benefits of implementing the proposal.

(6) Any other issues deemed pertinent by the Department or Division.

(b) With respect to developing a new model relating to the housing of youthful offenders in which youthful offenders who are between 18 and 24 years of age, who have been convicted as adults and who will be released from confinement before reaching 25 years of age would be housed separately from offenders who will not be released from confinement before reaching 25 years of age:

(1) A review of necessary statutory and regulatory changes.

(2) Models from other states.

(3) Estimates of expected costs.

(4) Any other issues relating to budgeting.

(5) An analysis of the costs and benefits of the proposal.

(6) Any other issues deemed pertinent by the Department or Division.

2. Not later than July 1, 2022, the Department and the Division shall prepare and submit a report of the findings of the study to the



Director of the Legislative Counsel Bureau for transmittal to the Legislative Committee on Child Welfare and Juvenile Justice.

Sec. 1.5. 1. There is hereby appropriated from the State General Fund to the Division of Child and Family Services of the Department of Health and Human Services the sum of \$50,000 for the costs of conducting the study of housing youthful offenders required by section 1 of this act.

2. Any remaining balance of the appropriation made by subsection 1 must not be committed for expenditure after June 30, 2023, by the entity to which the appropriation is made or any entity to which money from the appropriation is granted or otherwise transferred in any manner, and any portion of the appropriated money remaining must not be spent for any purpose after September 15, 2023, by either the entity to which the money was appropriated or the entity to which the money was subsequently granted or transferred, and must be reverted to the State General Fund on or before September 15, 2023.

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 upon passage and approval.

