

**Introduced by Senator Beall
(Coauthor: Senator Portantino)**

(Coauthors: Assembly Members Chiu, Gipson, and McCarty)

February 13, 2019

An act to amend Section 912 of the Welfare and Institutions Code, relating to juveniles.

LEGISLATIVE COUNSEL'S DIGEST

SB 284, as introduced, Beall. Juvenile justice: county support of wards.

Existing law generally requires a county from which a person is committed to the Department of Corrections and Rehabilitation, Division of Juvenile Justice, to pay to the state an annual rate of \$24,000 while the person remains under the direct supervision of the division or remains cared for and supported at the expense of the division.

This bill would increase that annual rate to \$125,000 if the offense on which the commitment is based, had it been filed in a court of criminal jurisdiction at the time of adjudication, had a maximum aggregate sentence of fewer than 7 years or if the offense on which the commitment is based occurred when the person was 15 years of age or younger.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 912 of the Welfare and Institutions Code
- 2 is amended to read:

1 912. (a) (1) A county from which a person is committed to
2 the Department of Corrections and Rehabilitation, Division of
3 Juvenile ~~Facilities~~, *Justice*, shall pay to the state an annual rate of
4 twenty-four thousand dollars (\$24,000) while the person remains
5 in an institution under the direct supervision of the division, or in
6 an institution, boarding home, foster home, or other private or
7 public institution in which the person is placed by the division,
8 and cared for and supported at the expense of the division, as
9 provided in this subdivision. This subdivision applies to a person
10 who is committed to the division by a juvenile court on or after
11 July 1, 2012.

12 ~~The~~
13 (2) *The* Department of Corrections and Rehabilitation, Division
14 of Juvenile ~~Facilities~~, *Justice*, shall present to the county, not more
15 frequently than monthly, a claim for the amount due to the state
16 under this subdivision, which the county shall process and pay
17 pursuant to Chapter 4 (commencing with Section 29700) of
18 Division 3 of Title 3 of the Government Code.

19 (b) A county from which a person is committed to the
20 Department of Corrections and Rehabilitation, Division of Juvenile
21 ~~Facilities~~, *Justice*, on or after July 1, 2018, shall pay to the state
22 an annual rate of twenty-four thousand dollars (\$24,000) for the
23 time the person remains in an institution under the direct
24 supervision of the division, or in an institution, boarding home,
25 foster home, or other private or public institution in which the
26 person is placed by the division, and cared for and supported at
27 the expense of the division, as provided in this subdivision. A
28 county shall not pay the annual rate of twenty-four thousand dollars
29 (\$24,000) for a person who is 23 years of age or older. This
30 subdivision applies to a person committed to the division by a
31 juvenile court on or after July 1, 2018.

32 (c) (1) *A county from which a person is committed to the*
33 *Department of Corrections and Rehabilitation, Division of Juvenile*
34 *Justice, on or after January 1, 2020, shall pay to the state the*
35 *following rate for the time the person remains in an institution*
36 *under the direct supervision of the division, or in an institution,*
37 *boarding home, foster home, or other private or public institution*
38 *in which the person is placed by the division, and cared for and*
39 *supported at the expense of the division, as provided in this*
40 *subdivision:*

1 (A) *If the offense on which the commitment is based, had it been*
2 *filed in a court of criminal jurisdiction at the time of adjudication,*
3 *had a maximum aggregate sentence of fewer than seven years, the*
4 *annual rate is one hundred twenty-five thousand dollars*
5 *(\$125,000).*

6 (B) *If the offense on which the commitment is based occurred*
7 *when the person was 15 years of age or younger, the annual rate*
8 *is one hundred twenty five thousand dollars (\$125,000).*

9 (C) *If the offense on which the commitment is based occurred*
10 *when the person was 16 years of age or older and, had it been*
11 *filed in a court of criminal jurisdiction at the time of adjudication,*
12 *had a maximum aggregate sentence of 7 years or more, the annual*
13 *rate is twenty-four thousand dollars (\$24,000).*

14 (2) *This subdivision applies to a person committed to the division*
15 *by a juvenile court on or after January 1, 2020.*

16 (e)

17 (d) Consistent with Article 1 (commencing with Section 6024)
18 of Chapter 5 of Title 7 of Part 3 of the Penal Code, the Board of
19 State and Community Corrections shall collect and maintain
20 available information and data about the movement of juvenile
21 offenders committed by a juvenile court and placed in any
22 institution, boarding home, foster home, or other private or public
23 institution in which they are cared for, supervised, or both, by the
24 division or the county while they are on parole, probation, or
25 otherwise.