

1 A. As used in this Subpart, the following terms shall have the following
2 meanings:

3 (1) "Commission" shall mean the Juvenile Detention Commission.

4 (2) "Committee" means the Joint Legislative Committee on the Budget.

5 (3) "Division" means the division of administration.

6 (4) "Fund" means the Juvenile Detention Fund.

7 (5) "Program" means the Juvenile Detention Commission Program.

8 (6) "Regional juvenile detention center authority" means any regional
9 juvenile detention center authority created in Title 15 of the Louisiana Revised
10 Statutes of 1950.

11 B.(1) The Juvenile Detention Commission is hereby established to review
12 applications submitted to the Juvenile Detention Commission Program as
13 provided in this Section and make recommendations for funding to the Joint
14 Legislative Committee on the Budget.

15 (2) The commission shall be comprised of the following ten members:

16 (a) The president of the Senate or his designee.

17 (b) A member of the Senate Committee on Judiciary B appointed by the
18 president of the Senate.

19 (c) A member of the Senate Committee on Finance appointed by the
20 president of the Senate.

21 (d) A member of the Senate Committee on Revenue and Fiscal Affairs
22 appointed by the president.

23 (e) The speaker of the House of Representatives or his designee.

24 (f) A member of the House Committee on Administration of Criminal
25 Justice appointed by the speaker of the House of Representatives.

26 (g) A member of the House Committee on Appropriations appointed by
27 the speaker of the House of Representatives.

28 (h) A member of the House Committee on Ways and Means appointed
29 by the speaker of the House of Representatives.

1 (i) Two members appointed by the governor.

2 (3) A Senate member of the commission and a House member of the
3 commission shall serve as cochairmen of the commission.

4 (4) A quorum of the commission shall be six members. Any
5 recommendations made by the commission shall require the affirmative vote of
6 a majority of the commission provided a quorum is present.

7 (5) The staffs of the Senate, House of Representatives, and the legislative
8 fiscal office shall provide staff support and otherwise assist the commission as
9 required by the commission.

10 C. The Juvenile Detention Commission Program is hereby established
11 to provide grant funding for the design, construction, site purchase,
12 refurbishment, site work, and other necessary items or materials for the
13 building, repair, or refurbishment of a fully operational Juvenile Detention
14 Center to house both pre-adjudicated and post-adjudicated juveniles in certain
15 circumstances. The division of administration, office of facility planning and
16 control, and the Department of Public Safety and Corrections, office of juvenile
17 justice, shall administer the program in consultation with relevant state
18 agencies and other stakeholders. The division shall establish a working panel
19 comprised of employees of the office of facility planning and control and the
20 office of juvenile justice. The working panel shall review and rate applications
21 submitted by any regional juvenile detention center authority and local
22 governing authorities and submit recommendations for funding to the
23 commission.

24 D. (1) The division shall promulgate guidance for the administration of
25 the program. The guidance shall include application requirements, application
26 period dates and deadlines for submissions and approval, criteria for ratings,
27 and a process for ensuring and prioritizing funding for juvenile detention
28 facilities in regions in this state lacking adequate resources and facilities for
29 housing juveniles from those regions. The Administrative Procedure Act, R.S.

1 49:950 et seq., shall not apply to guidance promulgated pursuant to this Section.

2 The division shall submit the proposed guidance to the commission for review
3 and approval. Any changes to the guidance shall require approval by the
4 commission.

5 (2) Prior to the application period, the division shall conduct outreach
6 and educational efforts for all regional juvenile detention center authorities and
7 local governing authorities to raise awareness regarding the program.

8 (3) The division shall post on its website a copy of the guidance
9 promulgated pursuant to this Section as well as any additional information
10 regarding the program, including the application process, procurement, or
11 scoring criteria upon request of the commission.

12 E. In addition to the guidance provided for in Subsection D of this
13 Section, the division shall submit a proposal outlining administrative costs for
14 the program to the commission for review and approval prior to implementing
15 the program. The commission shall review the proposed administrative costs
16 and make a recommendation to the Joint Legislative Committee on the Budget
17 for funding for administrative costs. The committee shall review the
18 recommendations submitted by the commission and approve administrative
19 costs for the program.

20 F. Notwithstanding any provision of law to the contrary, the division may
21 enter into consulting services, professional services, and information and
22 technology services contracts for the purpose of the procurement of any goods
23 or services necessary to implement and expedite the distribution of funds as
24 emergency procurements exempt from the provisions of the Louisiana
25 Procurement Code and corresponding rules and regulations. The cost of such
26 contracts shall be considered administrative costs.

27 G. Each grant recipient shall be required to provide matching funds
28 unless the commission recommends waiving the match requirement.

29 H. Applications shall include, at a minimum, the following:

1 **(1) The amount of grant funding requested.**

2 **(2) A proposed operating budget that identifies and quantifies the**
3 **following:**

4 **(a) The anticipated revenues generated by or funds necessary to operate**
5 **a proposed juvenile detention center.**

6 **(b) The sources of any anticipated operational revenues or funds.**

7 **(c) The anticipated costs of daily operation of the proposed juvenile**
8 **detention center.**

9 **(d) A three-year and five-year annual overall budget projection.**

10 **(3) The location of the proposed juvenile detention center and**
11 **geographical area to be served by the proposed juvenile detention center.**

12 **(4) The number of pre-adjudicated juveniles and post-adjudicated**
13 **juvenile beds in the proposed juvenile detention center, which shall include at**
14 **least thirty-percent of the overall juvenile bed capacity for post-adjudicated**
15 **juveniles.**

16 **(5) Proposals for repairs, improvements, or consolidation with regional**
17 **juvenile detention center authorities, where applicable.**

18 **(6) Assurance the entity will comply with all state and local regulations**
19 **and licensing requirements applicable under state and federal law, including the**
20 **juvenile detention standard for Louisiana.**

21 **I. The division shall submit the working panel's ratings of proposed**
22 **projects and recommendations for funding for the projects to the commission.**
23 **The working panel's recommendations to the commission shall include**
24 **recommendations for utilization of any existing funding sources known or**
25 **available to an applicant.**

26 **J. The commission shall review the ratings and recommendations**
27 **submitted by the working panel. The commission shall submit its**
28 **recommendations for grant awards to the Joint Legislative Committee on the**
29 **Budget.**

1 **K. (1) The committee shall review the recommendations submitted by**
2 **the commission and have final approval of projects that receive grant awards**
3 **through the program.**

4 **(2)(a) The commission may approve adjustments to any grant award for**
5 **a project for any of the following reasons:**

6 **(i) Duplication of benefits.**

7 **(ii) Increase in project costs, not to exceed five percent of the total grant**
8 **award for a project.**

9 **(iii) The inability of a grant recipient to complete one or more projects**
10 **within the scope of the grant award.**

11 **(iv) Technical corrections.**

12 **(b) Notwithstanding the provisions of Paragraph (1) of this Subsection,**
13 **any adjustments made pursuant to the provisions of this Paragraph shall be**
14 **reported to the Joint Legislative Committee on the Budget but shall not require**
15 **approval of the committee.**

16 **(3) The commission may rescind any grant award for a project if the**
17 **grant recipient fails to comply with the guidance approved by the commission.**

18 **L. Beginning January 1, 2025, the division shall submit a quarterly status**
19 **update, including a construction progress report, for projects that received**
20 **funding approval to the Juvenile Detention Center Commission and the Joint**
21 **Legislative Committee on the Budget.**

22 **M. Each grant recipient that receives funding pursuant to this Section**
23 **shall comply with the provisions of R.S. 24:513.**

24 **N. The provisions of R.S. 39:72.1(A) shall not apply to monies**
25 **appropriated pursuant to this Section.**

26 **§100.242. Juvenile Detention Fund**

27 **A. There is hereby created in the state treasury, as a special fund, the**
28 **Juvenile Detention Fund.**

29 **B. Monies in the fund shall be invested in the same manner as monies in**

1 the state general fund. Interest earned on the investment of monies in the fund
2 shall be deposited in and credited to the fund.

3 C. Monies in the fund shall be used to provide grant funding for the
4 design, construction, site purchase, refurbishment, site work, and other
5 necessary items or materials for the building, repair, or refurbishment of a fully
6 operational juvenile detention center to house both pre-adjudicated and post-
7 adjudicated juveniles in certain circumstances.

8 Section 2. This Act shall become effective upon signature by the governor or, if not
9 signed by the governor, upon expiration of the time for bills to become law without signature
10 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
11 vetoed by the governor and subsequently approved by the legislature, this Act shall become
12 effective on the day following such approval.

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by Michelle Ridge.

DIGEST

SB 431 Original

2024 Regular Session

Cloud

Proposed law creates the Juvenile Detention Commission (commission) to review applications submitted pursuant to the Juvenile Detention Commission Program (program) and make recommendations for funding to the Joint Legislative Committee on the Budget (JLCB).

Proposed law provides that the 10 member commission shall include the following:

- (1) The president of the Senate or his designee.
- (2) Three members appointed by the president from the following committees: Judiciary B, Finance, and Revenue and Fiscal Affairs.
- (3) The speaker of the House of Representatives or his designee.
- (4) Three members appointed by the speaker from the following committees: Administration on Criminal Justice, Appropriations, and Ways and Means.
- (5) Two members appointed by the governor.

Proposed law provides that a Senate member and a House member shall serve as cochairs of the commission and establishes that six members constitute a quorum.

Proposed law provides that the program is established to grant funding for the design, construction, site purchase, refurbishment, site work, and other necessary items or materials for the building, repair, or refurbishment of a fully operational juvenile detention center to house pre- and post-adjudicated juveniles.

Proposed law provides for the administration of the program and the establishment of a working panel to review and rate applications submitted and make recommendations for funding to the commission.

Proposed law allows the division to enter into consulting services, professional services, and information and technology service contracts for the purpose of the procurement of any goods or services necessary to implement and expedite the distribution of funds as emergency procurements exempt from the La. Procurement Code.

Proposed law provides that the working panel's ratings of proposed projects and recommendations for funding be submitted to the commission. Provides that the commission shall review the ratings and recommendations submitted and provide to JLCB its recommendations for grant awards.

Proposed law requires JLCB to review the recommendations submitted by the commission and have final approval of projects that receive grant awards through the program. Allows the commission, without further approval from JLCB, to approve adjustments to any grant award under certain circumstances.

Proposed law provides for the rescission of a grant for failure to comply with proposed law.

Proposed law requires the division, beginning January 1, 2025, to submit a quarterly status update for funded projects to the commission and JLCB.

Proposed law requires grant recipients to comply with audits performed by the legislative auditor as provided in present law. Provides an exception to present law consequences for noncompliance.

Proposed law creates the Juvenile Detention Fund (fund) and requires monies in that fund be used to provide grant funding for the design, construction, site purchase, refurbishment, site work, and other necessary items or materials for the building, repair, or refurbishment of a fully operational juvenile detention center to house both pre-adjudicated and post-adjudicated juveniles in certain circumstances.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Adds R.S. 39:100.241 and 100.242)