



Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536



Telephone: (517) 373-5383
Fax: (517) 373-1986
TDD: (517) 373-0543

House Bill 4145 (as reported without amendment)
Sponsor: Representative Charles LaSata
House Committee: Criminal Justice
Senate Committee: Judiciary

CONTENT

The bill would enact the "Interstate Compact for Juveniles" to provide for Michigan's participation in the Interstate Commission for Juveniles, and enter Michigan into the Compact with all jurisdictions that legally joined in it. The bill would enact the Compact "for the supervision or return of juveniles, delinquents, and status offenders".

Specified purposes include ensuring that adjudicated juveniles and status offenders were provided adequate supervision and services, tracking juveniles, establishing procedures to manage the movement of juveniles released to the community, and establishing a system of data collection. The bill also would repeal Public Act 203 of 1958, which provides for Michigan's participation in the current Interstate Compact on Juveniles, when the 35th state enacted the proposed Compact.

The proposed Compact would do all of the following:

- Create the Interstate Commission for Juveniles as a joint agency of the compacting states, to oversee and administer the operation of the Compact.
- Provide for the appointment of Commissioners (who would be states' voting representatives) and other members of the Commission from each compacting state.
- Provide for the Commission's organizational structure and operation, and specify its powers and duties.
- Require the Commission to establish an executive committee.
- Authorize the Commission to create and promulgate rules that would have the force of statutory law and be binding in the compacting states.
- Specify that Commission activity would be the formation of public policies.
- Provide limited immunity and indemnity to Commission members and staff, as well as Commissioners' agents or employees.
- Provide for the Commission's oversight and enforcement of the Compact, including dispute resolution.
- Require the Commission to provide for the payment of its reasonable expenses, through the levy and collection of an assessment on compacting states.
- Require each compacting state to create a State Council for Interstate Juvenile Supervision to advise and exercise oversight and advocacy concerning the state's participation in Commission activities.
- Specify procedures for amending the Compact, a state's withdrawal or termination from the Compact, judicial enforcement of the Compact, and the Compact's dissolution.
- Specify that the Compact would be binding on all members and would supercede any conflicting laws or interstate compacts.

The Compact would take effect on July 1, 2004, or when the 35th state adopted the Compact, whichever was later.

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill would have an indeterminate fiscal impact on State and local government.

The Council of State Governments (CSG) speculates that Michigan's annual assessment for participation in the Interstate Commission could be \$27,000. This figure is based on a draft budget and a draft dues formula created by CSG, as well as on the assumption that all of the states join the compact. The formula is weighted using the State's population and offender caseload. Once the Commission is established, it will determine its own budget and dues formula, which may vary from those used by the CSG.

The costs for administration, the State Council, and data collection would have an impact on the Family Independence Agency budget.

Any costs associated with detention and transportation of juveniles across State lines would have an impact on local units of government.

Date Completed: 6-12-03

Fiscal Analyst: Bethany Wicksall
Constance Cole

Floor\hb4145

This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.