

Department of Planning and Budget
2026 General Assembly Session
State Fiscal Impact Statement

PUBLISHED: 1/21/2026 10:53 AM

ORIGINAL

Bill Number: SB468

Patron: Marsden

Bill Title: Juvenile secure detention facilities; placement of juveniles referred from another locality; high-needs or high-risk juveniles; funding.

Bill Summary: Requires the statewide plan developed by the Department of Juvenile Justice (the Department) for the establishment and maintenance of a range of institutional and community-based, diversion, predispositional and postdispositional services to be reasonably accessible to each court to include (i) a plan for juvenile secure detention facilities in the Commonwealth, which shall designate the total number of facilities to be in operation in the Commonwealth, the location of each facility, the localities each facility shall serve, and the number of beds required for each facility and (ii) procedures for determining the appropriate placement of juveniles pursuant to the plan. The bill provides that the Department may reduce or cease the apportionment of any state funds to any localities or commissions that choose not to participate in the plan for juvenile secure detention facilities in the Commonwealth included in the statewide plan as required by this section. The bill also allows the Department to designate up to three juvenile secure detention facilities to provide additional support and services to juveniles identified as high-needs or high-risk. The bill requires any locality or commission operating a juvenile secure detention facility that receives state funds to accept the placement of any juvenile referred from another locality, unless accepting placement of such juvenile is not feasible due to security concerns or exigent circumstances related to staffing or other operational factors. The bill also provides that if any locality or commission refuses to accept the placement of any such juvenile, the Department may cease the apportionment of any funds to the locality or commission, including any funds for facility operations and education programs. The bill also provides that when a locality or commission operating a juvenile secure detention facility accepts the placement of a juvenile referred from another locality, (a) any medical expenses incurred on behalf of such juvenile shall be borne by the locality from which the juvenile was referred, unless otherwise agreed to by the locality referring such juvenile and the locality or commission accepting such juvenile; (b) if an employee of the juvenile secure detention facility is injured in the course of his employment by any such juvenile, the locality from which such juvenile was referred shall be considered the employer for the purposes of the Virginia Workers' Compensation Act; (c) any sheriff's departments that are impacted by additional travel requirements related to transporting juveniles shall be compensated to the extent practicable from identified savings; and (d) the locality referring such juvenile and the locality or commission accepting such juvenile shall negotiate in good faith to arrive at mutually agreeable funding contributions. The bill provides that if the localities or commissions are unable to reach an agreement on the funding contributions required by clause (d), then the Department shall determine the funding contributions and that failure of any locality or commission to comply with such funding contributions may result in the loss or reduction of the apportionment of any funds to the locality or commission, including any funds for facility operations and education programs.

Budget Amendment Necessary: No

Items Impacted: None

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Explanation: See fiscal analysis

Fiscal Summary: According to the Department of Juvenile Justice (DJJ), the fiscal impact of the bill is indeterminate.

Fiscal Analysis: According to DJJ, if local juvenile detention centers (JDCs) do not comply with the provisions of the bill, state funding support may be reduced; however, assuming JDCs comply, there is no anticipated fiscal impact on state agency operations. There is a potential impact on local JDC operations, but there is not enough information available to estimate a reliable impact.

Other: None.