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

PUBLISHED: 1/23/2026 2:44 PM **ORIGINAL**

Bill Number: SB18E **Patron:** Locke
Bill Title: Children; adjudication of delinquency.

Bill Summary: The amendment requires that upon motion of the Commonwealth, for a child younger than 11 years of age that is alleged to have committed an act that would be delinquent if committed by a child 11 years of age or older, a court will amend any delinquency petition to allege that the child is in need of services or in need of supervision.

Budget Amendment Necessary: No **Items Impacted:** N/A
Explanation: See Fiscal Analysis.

Fiscal Summary: According to the Department of Juvenile Justice (DJJ), the provisions of this bill can be absorbed with existing resources.

Fiscal Analysis: The engrossed bill requires DJJ to utilize any funding that is available to provide services to a child younger than 11 years of age who is found to have committed an act that would be delinquent if committed by a child 11 years of age or older. The proposal requires that the level of service provided to a child younger than 11 years of age who is found to have committed a delinquent act be the same level of service provided to a child 11 years of age or older who is proceeded upon as delinquent. According to the agency, the provisions of this proposal can be absorbed with existing resources.

In addition, the engrossed bill expands an existing Class 1 misdemeanor for causing or encouraging acts rendering children delinquent, abused, etc., to include any person 18 years of age or older, including the parent of any child, who willfully causes a child younger than 11 years of age to commit a delinquent act or causes any child to participate in or become a member of a criminal street gang. Anyone convicted of a Class 1 misdemeanor is subject to a sentence of up to 12 months in jail and a fine of not more than $2,500, either or both. There is not enough information available to reliably estimate the increase in jail population as a result of this proposal. However, any increase in jail population will increase costs to the state. The Commonwealth currently pays localities $5.00 a day for each misdemeanant or otherwise local-responsible prisoner held in a jail. It also funds a large portion of the jails' operating costs, e.g., correctional officers. The state's share of these costs on a per prisoner, per day basis varies from locality to locality. However, according to the Compensation Board's most recent Jail Cost Report (November 2025), the estimated total state support for local jails averaged $58.25 per inmate, per day in FY 2024.

Other: None.