

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

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ORIGINAL

Bill Number: SB468S1

Patron: Marsden

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

Bill Summary: The substitute bill expands the requirement for the Department of Juvenile Justice to develop a statewide plan 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. The substitute bill requires that such statewide plan will include (i) a plan for juvenile secure detention facilities in the Commonwealth, which will designate the total number of facilities to be in operation in the Commonwealth, the location of each facility, the localities each facility will serve, and the number of beds required for each facility and (ii) procedures for determining the appropriate placement of juveniles pursuant to the plan. In addition, the substitute bill requires that in developing the plan for juvenile secure detention facilities, the Department will include the Virginia Municipal League, the Virginia Association of Counties, the Virginia Association of Commonwealth's Attorneys, the Virginia Sheriff's Association, youth advocacy organizations, and any other stakeholders as may be appropriate. Such plan will inform funding decisions related to juvenile secure detention facilities in the Commonwealth. The substitute bill provides that the Department may designate up to three juvenile secure detention facilities to provide additional support and services to juveniles identified as high-needs or high-risk and may increase the apportionment made in accordance with the provisions of § 16.1-322.1 of the Code of Virginia and provide any additional funding or resources to the localities or commissions operating such designated facilities. In addition, any locality or commission operating a juvenile secure detention facility that receives state funds will 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, including the availability of beds. If any locality or commission refuses to accept the placement of any such juvenile for any reason other than security concerns or exigent circumstances, the Department may reduce or cease the apportionment of any funds to the locality or commission, including any funds for facility operations and education programs. The substitute bill provides that for any locality or commission operating a juvenile secure detention facility accepts the placement of a juvenile referred from another locality, any medical expenses incurred on behalf of such juvenile will be borne by the locality from which the juvenile was referred, unless the two localities or commissions involved agree otherwise. If an employee of the juvenile secure detention facility is injured in the course of their employment by any such transferred juvenile, the locality from which such juvenile was referred will be considered the employer for the purposes of the Virginia Workers' Compensation Act. Any sheriff's departments that are impacted by the placement of a juvenile referred from another locality will be compensated and funding for such sheriff's departments will be prioritized. The substitute bill allows the locality accepting such transferred juvenile will set daily costs for the placement of such juvenile.

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Budget Amendment Necessary: No

Items Impacted: None

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.