

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL NOTE**

**HB 1319 – SB 1325**

March 6, 2019

**SUMMARY OF BILL:** Establishes that a juvenile waives their right to an adjudicatory and dispositional hearing before the judge if the juvenile pleads guilty or no contest in a delinquency or unruly proceeding before a magistrate. Establishes that a juvenile waives their right to appeal adjudication if the juvenile pleads guilty or no contest to a delinquent or unruly charge.

Establishes that attachment and detention of a child are not authorized for the violation of a pretrial diversion agreement unless otherwise permitted. Adds the significant likelihood of sexual assault to another person, danger to self, or damage to property, rather than a significant likelihood of such damage, to the list of criteria required to be met before a juvenile can be detained on an attachment. Requires that prior to an attachment being issued, a juvenile must also meet the criteria in Tenn. Code Ann. § 37-1-114.

Authorizes judicial diversion for juvenile offenders under certain circumstances. Prohibits a juvenile from being placed on judicial diversion if the matter was dismissed after a hearing on the merits.

Adds offenses for which a juvenile offender may be committed to the Department of Children's Services (DCS).

Authorizes juvenile traffic violations to be disposed through informal adjustment, pretrial diversion or judicial diversion. Authorizes probation for juvenile traffic offenders.

**ESTIMATED FISCAL IMPACT:**

**NOT SIGNIFICANT**

Assumptions:

- Passage of this legislation will not significantly increase the number of juveniles being committed to the DCS; therefore, any fiscal impact to DCS is not significant.
- Based on information provided by the Administrative Office of the Courts, the proposed legislation would not result in a significant increase in caseloads for the state and local courts. Any increase in expenditures will be absorbed within existing state and local resources.

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

Handwritten signature of Krista Lee Carsner in black ink.

Krista Lee Carsner, Executive Director

/vlh