

SESSION OF 2004

**SUPPLEMENTAL NOTE ON SENATE BILL NO. 183**

As Recommended by Senate  
Committee on Judiciary

**Brief\***

SB 183 would enact the revised Interstate Compact for Juveniles and repeal the existing compact.

The purposes of this compact, among others, are as follows:

- ! ensure that the adjudicated juveniles and status offenders are provided adequate supervision and services in the receiving state as ordered by the adjudicating judge or parole authority in the sending state;
- ! ensure that the public safety interests of the citizens, including the victims of juvenile offenders, in both the sending and receiving states, are adequately protected;
- ! return juveniles who have run away, absconded, or escaped from supervision or control or have been accused of an offense to the state requesting their return;
- ! make contracts for the cooperative institutionalization in public facilities in member states for delinquent youth needing special services;
- ! provide for the effective tracking and supervision of juveniles;
- ! insure immediate notice to jurisdictions where defined offenders are authorized to travel or to relocate across state lines;
- ! establish procedures to resolve pending charges (detainers) against juvenile offenders prior to transfer or release to the community under the terms of this compact;

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\*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

! establish a system of uniform data collection.

The compacting states create an Interstate Commission for Juveniles. The Commission shall be a body corporate and joint agency of the compacting states. The commission shall have all the responsibilities, powers, and duties set forth in the compact.

The Interstate Commission shall consist of commissioners appointed by the appropriate appointing authority in each state pursuant to the rules and requirements of each compacting state and in consultation with the State Council for Interstate Juvenile Supervision created under the compact.

Commissioners are the voting representatives of each state. The Interstate Commission also shall include individuals who are not commissioners, but who are members of interested organizations. Such non-commissioner members must include a member of the national organizations of governors, legislators, state chief justices, attorneys general, Interstate Compact for Adult Offender Supervision, Interstate Compact for the Placement of Children, juvenile justice and juvenile corrections officials, and crime victims. All non-commissioner members of the Interstate Commission shall be ex-officio (non-voting) members.

The Interstate Commission shall levy an annual assessment from each compacting state to cover the costs of the internal operations and activities on the Interstate Commission and its staff.

Each member state shall create a State Council for Interstate Juvenile Supervision. While each state may determine the membership of its own state council, its membership must include at least one representative from the legislative, judicial, and executive branches of government, victims groups, and the compact administrator, deputy compact administrator or designee. Each compacting state retains the right to determine the qualifications of the compact administrator or deputy compact administrator. Each state council will advise and may exercise oversight and advocacy concerning that state's participation in Interstate Commission activities and other duties as may be determined by that state, including but not limited to, development of policy concerning operations and procedures of the compact within that state.

Once effective, the compact shall continue in force and remain binding upon each and every compacting state; provided that a compacting state may withdraw from the compact by specifically repealing the statute which enacted the compact into law.

## **Background**

The bill was supported by the Kansas Juvenile Justice Authority and a representative of the Council of State Governments. Proponents said that the current Interstate Compact on Juveniles established in 1955 was not an effective tool for use by today's juvenile justice system.

The fiscal note states that the Juvenile Justice Authority estimated that participation in the compact would cost \$46,700 annually. Membership fees would cost \$17,000. In addition, the agency assumes that it would be responsible for organizing and supporting the State Council. A senior administrative specialist would be required to provide staff support for the Council and assist the Commissioner of Juvenile Justice, who would serve as the state's representative on the National Council. The salary for this position is estimated at \$25,000. Office equipment and space for this position is estimated at \$1,700. Costs associated with the State Council are estimated at \$3,000 and include travel expenses and training materials. Any fiscal effect resulting from enactment of SB 183 is not included in *The FY 2004 Governor's Budget Report*.