



Legislation Text

File #: 21-1290, **Version:** 1

Probation Department recommending the Board, pursuant to California Senate Bill 1290, discharge the debts identified in the attached Report in the amount of \$544,321.70 for all accounts with juvenile probation fees ordered prior to and through December 31, 2017.

FUNDING: N/A

DISCUSSION / BACKGROUND

As a result of the enactment of Senate Bill 190 (SB190/Mitchell 2017), effective January 1, 2018:

- 1) Counties were no longer to charge fees for detention services, however counties were permitted to continue collecting debt in arrears and ordered prior to that date; and
- 2) Counties were no longer permitted to establish new juvenile delinquency system fee debt.

Implementation of Senate Bill 1290 (SB1290), effective January 1, 2021, voids the unpaid balances of certain county-assessed or court-ordered costs imposed before January 1, 2018, against the parent, guardian or other person liable for the support of a minor, if the minor was adjudged to be a ward of the juvenile court, was on probation without being adjudged a ward, was the subject of a petition filed to adjudge the minor a ward, or was the subject of particular programs of supervision; voids the unpaid outstanding balance of any county-assessed or court-ordered costs imposed before January 1, 2018, to cover the costs of drug testing a minor on probation for a drug case; specifies the foregoing provisions apply to dual status children for purposes of delinquency jurisdiction; and voids the unpaid outstanding balance of any county-assessed or court-ordered costs imposed before January 1, 2018, for home detention administrative fees and probation drug testing fees against persons age 18 to 21 and under the jurisdiction of the criminal court.

The Probation Department (Probation) has not established any new fees for detention on any accounts since October 2017, and continues to work with the Revenue Recovery Department to discharge the debts specified under SB1290 for removal of Juvenile Probation Fees. The attached report details all juvenile fees currently owed to the County of El Dorado, and to be removed to comply with SB1290. Once approved, the Revenue Recovery and Probation Departments will remove the applicable fees from their accounts management systems.

ALTERNATIVES

N/A. SB1290 was signed by Governor Newsom on September 30, 2020.

PRIOR BOARD ACTION

21-1409 11/17/2020 #23

OTHER DEPARTMENT / AGENCY INVOLVEMENT

Treasurer-Tax Collector/Revenue Recovery

CAO RECOMMENDATION

Approve as recommended.

FINANCIAL IMPACT

SB1290 eliminates revenue collected by the County for debts owed by the custodial guardian for the costs of youth incarceration in the juvenile justice system, in addition to the cost for daily stays in juvenile facilities and other fees assessed such as the cost of electronic monitoring bracelets and supervision. Annual revenue amounts do not have a material impact on the Probation Department's budget.

CLERK OF THE BOARD FOLLOW UP ACTIONS

N/A

STRATEGIC PLAN COMPONENT

N/A

CONTACT

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