

**LEGISLATIVE EDUCATION STUDY COMMITTEE  
BILL ANALYSIS**

**Bill Number:** CS/SB 161

**51st Legislature, 1st Session, 2013**

**Tracking Number:** .192073.2

**Short Title:** Bernalillo Teen Court Program

**Sponsor(s):** Senator Jacob R. Candelaria and Representative Rick S. Miera

**Analyst:** James Ball

**Date:** February 19, 2013

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**SENATE JUDICIARY COMMITTEE SUBSTITUTE FOR SENATE BILL 161**

**Bill Summary:**

CS/SB 161 makes an appropriation for operation and administration of a teen court program in Bernalillo County.

**Fiscal Impact:**

\$50,000 is appropriated from the Juvenile Adjudication Fund (JAF) to the Local Government Division of the Department of Finance and Administration (DFA) for expenditure in FY 14. Unexpended or unencumbered funds revert to the General Fund.

**Fiscal Issues:**

According to the DFA, teen courts are eligible for funding through the JAF, which was created in 2009 by the Legislature to provide an ongoing source of competitive funding for entities such as teen courts. The fund is administered by DFA's Local Government Division (LGD). Because the JAF is funded by a fee collected pursuant to statute, it does not affect the General Fund. To date, LGD has not had to deny funding to any applicants due to lack of funding.

**Substantive Issues:**

According to the Administrative Office of the Courts (AOC), no assessment has been done by the Bernalillo County Metropolitan Court (BCMC) to determine the level of funding needed and the number of cases eligible for teen court. Currently, BCMC has jurisdiction only over teens in traffic cases. Conversely, nationally, most teen courts hear a range of misdemeanor cases and are not confined to traffic related offenses.

**Background:**

According to the AOC, teen court programs provide alternatives to traditional court procedures for the resolution of misdemeanor charges against juveniles. In teen court programs a juvenile appears before a jury of peers that recommends a sentence that may include classes related to the crime, community service, or other activities intended to reduce the chances that a juvenile will commit additional infractions of the law. The JAF grants provide funding to sustain and enhance these programs.

DFA identified a concern in its analysis of the original SB 161 that funding for the Bernalillo County Teen Court would be directed to BCMC through AOC. This issue was resolved in CS/SB 161 by directing funding through DFA, making the funding stream consistent with other Teen Court programs statewide.

**Committee Referrals:**

SJC/SFC

**Related Bills:**

None as of 2/19/2013.