

STATE OF OKLAHOMA

1st Session of the 43rd Legislature (1991)

SENATE BILL NO. 281

BY: DICKERSON

AS INTRODUCED

AN ACT RELATING TO CHILDREN AND POOR PERSONS;

AMENDING SECTION 41, CHAPTER 374, O.S.L. 1982, AS
LAST AMENDED BY SECTION 1, CHAPTER 134, O.S.L. 1988
(56 O.S. SUPP. 1990, SECTION 200.6), WHICH RELATES
TO JUVENILE DETENTION IMPROVEMENT REVOLVING FUND;
MODIFYING STATUTORY REFERENCE; PROVIDING FOR
RECODIFICATION; AND DECLARING AN EMERGENCY.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY Section 41, Chapter 374, O.S.L.
1982, as last amended by Section 1, Chapter 134, O.S.L. 1988 (56
O.S. Supp. 1990, Section 200.6), is amended to read as follows:

Section 200.6 A. There is hereby created in the State Treasury
a revolving fund for the Department of Human Services to be
designated the "Juvenile Detention Improvement Revolving Fund". The
fund shall be a continuing fund, not subject to fiscal year
limitations, and shall consist of all monies appropriated to the
Juvenile Detention Improvement Revolving Fund and monies which may
otherwise be available to the Department of Human Services for use
as provided for in this section.

B. All monies appropriated to the fund shall be budgeted and expended by the Department of Human Services for the purpose of providing funds to counties to renovate existing juvenile detention facilities, to construct new juvenile detention facilities, to operate juvenile detention facilities and otherwise provide for secure juvenile detention services and alternatives to secure detention as necessary and appropriate, in accordance with state-approved juvenile detention standards and the State Plan for the Establishment of Juvenile Detention Services provided for in Section 1108 of Title 10 of the Oklahoma Statutes. The participation of local resources shall be a requirement for the receipt by counties of said funds and the Department shall establish a system of rates for the reimbursement of secure detention costs to counties. The methodology for the establishment of said rates may include, but not be limited to, consideration of detention costs, the size of the facility, services provided and geographic location. Expenditures from said fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of State Finance for approval and payment.

1. a. For counties having a population of less than four hundred fifty thousand (450,000) as shown by the last preceding Federal Decennial Census, the Department of Human Services shall provide not less than ninety percent (90%) of the approved operational cost for secure detention effective July 1, 1987. Beginning July 1, 1992, the rate of reimbursement of approved operating cost shall be eighty-five percent (85%) for the Department of Human Services.

b. For those counties having a population of four hundred fifty thousand (450,000) or more, the sharing cost for the provision of secure juvenile detention facilities

shall be fifty percent (50%) for the Department of Human Services and fifty percent (50%) for the county.

c. The Department of Human Services shall reimburse operating per diem costs for said services, as approved, at the rate of ninety percent (90%) to be reduced to eighty-five percent (85%) effective July 1, 1992, to those counties having a population of four hundred fifty thousand (450,000) or more which:

(1) provide secure detention services for juveniles who have been adjudicated delinquent, placed in the custody of the Department of Human Services and who are awaiting placement by the Department, for each day that said county continues to provide such services beyond five (5) days after a dispositional order placing a juvenile in Department custody is issued, or

(2) provide detention services to other counties.

2. The Department of Human Services shall approve only those applications for funds to renovate an existing juvenile detention facility or any other existing facility or to construct a new juvenile detention facility which contain proposed plans that are in compliance with state-approved juvenile detention standards.

3. The Department of Human Services shall approve only those applications or contracts for funds to operate juvenile detention facilities or otherwise provide for secure juvenile detention services and alternatives to secure detention which are in compliance with or which are designed to achieve compliance with the State Plan for the Establishment of Juvenile Detention Services provided for in Section 1108 of Title 10 of the Oklahoma Statutes.

4. The Department of Human Services shall, from appropriated state monies or from available federal grants, reimburse travel costs for counties utilizing the juvenile detention facilities

identified in the "State Plan for the Establishment of Juvenile Detention Services" in accordance with the provisions of the State Travel Reimbursement Act, Section 500.1 et seq. of Title 74 of the Oklahoma Statutes.

5. No application for funds available pursuant to the provisions of this section may be filed when the construction of new facilities or the renovation of existing facilities was begun prior to July 20, 1982.

SECTION 2. RECODIFICATION Section 41, Chapter 374, O.S.L. 1982, as last amended by Section 1 of this act, shall be recodified as Section 1107.5 of Title 10 of the Oklahoma Statutes.

SECTION 3. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

43-1-530

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