



**FY 2018-19 JUDICIARY - HB 5566 and SB 859**  
**ITEMS OF DIFFERENCE BETWEEN THE HOUSE AND SENATE**  
**(APPROPRIATIONS ARE REFLECTED AS CHANGES FROM CURRENT YEAR)**



<b>JUDICIARY - APPROPRIATIONS</b>		<b>Executive</b>	<b>House</b>	<b>Senate</b>	<b>Conference</b>
<b>1. Community Dispute Resolution</b> <u>House</u> includes an additional \$499,900 GF/GP for community dispute resolution centers to provide restorative justice programs to schools to help reduce suspensions and truancy, and to improve school climates. Funding may also be used for centers to expand existing restorative justice programming that targets juvenile offenders who have been charged with assault and battery, malicious destruction of property, or larceny offenses. <u>Senate</u> includes an additional \$500,000 GF/GP. <u>Conference</u> includes an additional \$425,000 GF/GP for community dispute resolution centers to provide community dispute resolution services.	<b>Gross GF/GP</b>	<b>\$0</b> \$0	<b>\$499,900</b> \$499,900	<b>\$500,000</b> \$500,000	<b>\$425,000</b> \$425,000
<b>2. Youthful Sex Offender Treatment Pilot Program</b> <u>House</u> includes a \$100 GF/GP placeholder for a Youthful Sex Offender Treatment Pilot Program. <u>Senate</u> does not include. <u>Conference</u> includes a one-time appropriation of \$75,000 GF/GP for a pilot program in Kent County.	<b>Gross GF/GP</b>	<b>\$0</b> \$0	<b>\$100</b> \$100	<b>\$0</b> \$0	<b>\$75,000</b> \$75,000
<b>3. Swift and Sure Sanctions Probation Program</b> <u>House</u> reduces state restricted revenue available for the Swift and Sure Sanctions Probation Program by \$191,800 and reduces GF/GP revenue by \$154,000. <u>Senate</u> reduces the state restricted revenue, but replaces it with GF/GP. <u>Conference</u> reduces the state restricted revenue, but replaces it with GF/GP.	<b>Gross Restricted GF/GP</b>	<b>(\$345,800)</b> (191,800) (\$154,000)	<b>(\$345,800)</b> (191,800) (\$154,000)	<b>\$0</b> (191,800) \$191,800	<b>\$0</b> (191,800) \$191,800
<b>4. Expansion of Problem Solving Courts</b> <u>House</u> includes a one-time appropriation of \$1.0 million GF/GP for expansion of problem solving courts. <u>Senate</u> includes additional GF/GP funding in each of the specific court line items: \$28,700 for Drug Treatment Courts, \$28,700 for Mental Health Courts, and \$96,800 for Veterans Courts. <u>Conference</u> includes a one-time appropriation of \$750,000 GF/GP for expansion of problem solving courts.	<b>Gross GF/GP</b>	<b>\$0</b> \$0	<b>\$1,000,000</b> \$1,000,000	<b>\$154,200</b> \$154,200	<b>\$750,000</b> \$750,000
<b>5. Technical Adjustment for Building Occupancy Charges</b> <u>House</u> reduces GF/GP by \$100,000 for the judges' salary lines, replaces it with a like amount of Court Fee Fund revenue, and transfers the \$100,000 GF/GP to the Branchwide Appropriations line item to correct FY 2018-19 building occupancy charges that were incorrectly fund sourced to the Direct Trial Court Automaton line item for space in the Cadillac Place state office building. <u>Senate</u> does not include technical adjustments. <u>Conference</u> concurs with House on including these technical adjustments.	<b>Gross Local Restricted GF/GP</b>	<b>\$0</b> 0 0 \$0	<b>\$0</b> (100,000) 100,000 \$0	<b>\$0</b> 0 0 \$0	<b>\$0</b> (100,000) 100,000 \$0

JUDICIARY - APPROPRIATIONS		Executive	House	Senate	Conference	
<b>6. Staff for Juror Compensation Reimbursement</b> <u>House</u> includes authorization for 1.0 FTE position pursuant to Public Act 52 of 2017. <u>Senate</u> does not include authorization for position. <u>Conference</u> includes authorization.		FTEs-Exempt <b>Gross</b> GF/GP	0.0 <b>\$0</b> \$0	1.0 <b>\$0</b> \$0	0.0 <b>\$0</b> \$0	1.0 <b>\$0</b> \$0
<b>7. Pretrial Risk Assessment</b> <u>Senate</u> transfers \$305,700 of ongoing GF/GP funding included in the SCAO line item for Pretrial Risk Assessment to the One-Time Appropriations unit. <u>Conference</u> concurs with Senate on transferring the funding.		<b>Gross</b> GF/GP	<b>\$0</b> \$0	<b>\$0</b> \$0	<b>\$0</b> \$0	<b>\$0</b> \$0

JUDICIARY - BOILERPLATE	Executive	House	Senate	Conference
<b>1. Linking Swift and Sure to DHHS and DTED Programs</b> Requires SCAO to evaluate programs within DHHS and DTED to establish programmatic connections with Swift and Sure Sanctions Program participants for the purpose of leveraging collaborations and determining avenues of success for offenders who are eligible for state-provided programs; requires SCAO to deliver guidance to courts participating in the Swift and Sure Sanctions Program by March 1.	Strikes current law.	Strikes current law.	<b>Sec. 218.</b> Retains current law.	<b>Sec. 218.</b> Revises to require SCAO to “identify” programs instead of “evaluate” programs; adds the Department of Corrections.
<b>2. Community Dispute Resolution Restorative Justice Programs</b> Requires community dispute resolution centers to provide restorative justice programs to schools to help reduce suspensions and truancy, and to improve school climates; authorizes funding to be used by centers, in cooperation with local prosecutors, to expand existing restorative justice programming that targets juvenile offenders who have been charged with assault and battery, malicious destruction of property, or larceny offenses.	Not included.	<b>Sec. 305.</b> Includes new language.	Not included.	<b>Sec. 305.</b> Includes new language; revises it to refer to “community dispute resolution services” instead of “restorative justice programs”.
<b>3. Collected and Uncollected Payments and Fees</b> Requires SCAO to provide a statistical report, categorized by county, on collected and uncollected amounts of restitution payments, court fees, and other judgements placed on people within the counties.	Strikes current law.	Strikes current law.	<b>Sec. 306.</b> Retains current law.	<b>Sec. 306.</b> Retains current law.

JUDICIARY - BOILERPLATE	Executive	House	Senate	Conference
<p><b>4. Pretrial Risk Assessment</b>  Subsection (1) requires SCAO to pilot a pretrial risk assessment tool in an effort to provide relevant information to judges so they can make evidence-based bond decisions.  Subsection (2) requires SCAO to report by February 1 on plans for piloting the tool.  Subsection (3) requires SCAO to report by October 30 on costs associated with piloting the tool.</p>	<p><b>Sec. 10-316.</b>  Retains subsection (1).  Strikes subsection (2).  Revises subsection (3) by replacing “costs associated with piloting the tool” with “progress made toward implementing the tool”.</p>	<p><b>Sec. 316.</b>  Retains subsection (1).  Strikes subsection (2).  Revises subsection (3) by changing due date of report from October 30 to March 1 and by replacing “costs associated with piloting the tool” with “progress made toward implementing the tool and associated costs”.</p>	<p><b>Sec. 316.</b> Retains current law.</p>	<p><b>Sec. 316.</b>  Retains subsection (1).  Strikes subsection (2).  Revises subsection (3) by changing due date of report from October 30 to March 1 and by replacing “costs associated with piloting the tool” with “progress made toward implementing the tool and associated costs”.</p>
<p><b>5. Youthful Sex Offender Treatment Pilot Program</b>  Requires funding to be allocated to Kent County for assessing sex offenders, between the ages of 17 and 24, for risk, and for providing treatment for eligible offenders for individual and group counseling sessions; duration of treatment will be determined and will depend on the assessment-based level of identified risk; victims will approve of offenders’ enrollment in the program.</p>	<p>Not included.</p>	<p>Not included.</p>	<p>Not included.</p>	<p><b>Sec. 403.</b> Includes new language.</p>