

[~~(27)~~] (28) "Youth offender" means a person 12 years of age or older, and who has not reached 21 years of age, committed or admitted by the juvenile court to the custody, care, and jurisdiction of the division, for confinement in a secure facility or supervision in the community, following adjudication for a delinquent act which would constitute a felony or misdemeanor if committed by an adult in accordance with Section 78A-6-117.

[~~(28)~~] (29) (a) "Youth services" means services provided in an effort to resolve family conflict:

(i) for families in crisis when a minor is ungovernable or runaway; or

(ii) involving a minor and the minor's parent or guardian.

(b) These services include efforts to:

(i) resolve family conflict;

(ii) maintain or reunite minors with their families; and

(iii) divert minors from entering or escalating in the juvenile justice system.

(c) The services may provide:

(i) crisis intervention;

(ii) short-term shelter;

(iii) time out placement; and

(iv) family counseling.

Section 2. Section **62A-7-112** is enacted to read:

62A-7-112. Juvenile Justice Reinvestment Restricted Account.

(1) There is created in the General Fund a restricted account known as the "Juvenile Justice Reinvestment Restricted Account."

(2) The account shall be funded by savings calculated from General Fund appropriations by the ~~H→~~ [division] Division of Finance ~~←H~~ as described in Subsection ~~H→~~ [~~62A-7-113(2)~~] (3) ~~←H~~ .

(3) ~~H→~~ [~~No later than 60 days after~~] At ~~←H~~ the end of the fiscal year, the Division of Finance shall ~~H→~~ :

[transfer] (a) use the formula established in Subsection 62A-7-113(1) to calculate ~~←H~~ the savings from General Fund appropriations ~~H→~~ ; and [~~calculated by the division as described in Subsection 62A-7-113(2) from the General Fund~~]

(b) lapse the calculated savings into ~~←H~~ to the account.

(4) Upon appropriation by the Legislature, the department may expend funds from the account:

(a) for the statewide expansion of nonresidential community-based programs, including:

150 (i) receiving centers;
 151 (ii) mobile crisis outreach teams as defined in Section 78A-6-105;
 152 (iii) youth courts; and
 153 (iv) victim-offender mediation;
 154 (b) for nonresidential evidence-based programs and practices in cognitive, behavioral,
 155 and family therapy;
 156 (c) to implement:
 157 (i) nonresidential diagnostic assessment; and
 158 (ii) nonresidential early intervention programs, including family strengthening
 159 programs, family wraparound services, and truancy interventions; or
 160 (d) for infrastructure in nonresidential evidence-based juvenile justice programs,
 161 including staffing and transportation.

162 Section 3. Section **62A-7-113** is enacted to read:

163 **62A-7-113. Rulemaking authority and division responsibilities.**

164 (1) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
 165 division shall make rules that establish a formula, in consultation with the Office of the
 166 Legislative Fiscal Analyst, to calculate savings from General Fund appropriations under 2017
 167 Laws of Utah, Chapter 330 resulting from the reduction in out-of-home placements for youth
 168 offenders with the division.

169 ~~Ĥ→ [(2) At the end of each fiscal year, the division shall use the formula established under~~
 170 ~~Subsection (1) to calculate savings from General Fund appropriations and report the amount of~~
 171 ~~the savings to the Division of Finance.~~

172 ~~———(3)] (2) ←Ĥ~~ No later than December 31 of each year, the division shall provide to the

172a Executive

173 Offices and Criminal Justice Appropriations Subcommittee a written report of the division's
 174 activities under this section and Section 62A-7-112, including:

175 (a) for the report submitted in 2019, the formula used to calculate the savings from
 176 General Fund appropriations under Subsection (1);

177 (b) the amount of savings from General Fund appropriations calculated by the division
 178 for the previous fiscal year;

179 (c) an accounting of the money expended or committed to be expended under
 180 Subsection 62A-7-112(4); and

exceed three months post-disposition and may not be extended under any circumstance.

(iii) The court may only impose a custody order suspended under Subsection (5)(a)(i);

(A) following adjudication of a new misdemeanor or felony offense committed by the minor during the period of suspension set out under Subsection (5)(a)(ii); [or]

(B) if a new assessment or evaluation has been completed and recommends that a higher level of care is needed and nonresidential treatment options have been exhausted or nonresidential treatment options are not appropriate[-]; or

(C) if, after a notice and a hearing, the court finds a new or previous evaluation

recommends a ~~H~~→ [high] higher ←~~H~~ level of treatment, and the minor willfully failed to comply with a lower

level of treatment and has been unsuccessfully discharged from treatment.

(iv) A suspended custody order may not be imposed without notice to the minor, notice to counsel, and a hearing.

(b) The court pursuant to Subsection (5)(a) shall terminate jurisdiction over the minor at the end of the presumptive time frame unless at least one the following circumstances exists:

(i) termination pursuant to Subsection (6)(a)(ii) would interrupt the completion of a program determined to be necessary by the results of a validated risk and needs assessment with completion found by the court after considering the recommendation of a licensed service provider on the basis of the minor completing the goals of the necessary treatment program;

(ii) the minor commits a new misdemeanor or felony offense;

(iii) service hours have not been completed; or

(iv) there is an outstanding fine.

(6) When the court places a minor on probation under Subsection (2)(a) or vests legal custody of the minor in the Division of Juvenile Justice Services under Subsection (2)(c) or (d), the court shall do so for a defined period of time pursuant to this section.

(a) For the purposes of placing a minor on probation under Subsection (2)(a), the court shall establish a presumptive term of probation as specified in this Subsection (6):

(i) the presumptive maximum length of intake probation may not exceed three months; and

(ii) the presumptive maximum length of formal probation may not exceed four to six months.

(b) For the purposes of vesting legal custody of the minor in the Division of Juvenile