

BILL SUMMARY
1st Session of the 58th Legislature

Bill No.:	HB 2311
Version:	Introduced
Request Number:	5120
Author:	Lawson
Date:	2/5/2021
Impact:	\$0

Research Analysis

HB 2311, as introduced, modifies the provisions for a child serving time in an adult jail. It states that a juvenile may be, upon conviction, incarcerated in an adult facility if it is licensed by the Office of Juvenile Affairs (OJA) to detain children under eighteen (18) while the child awaits housing. However, an eighteen (18) year old sentenced to the custody of the OJA may be detained in the general population of the county jail pending placement. The bill states that juvenile detention facilities shall be the default placement for persons under seventeen (17), but individuals who are at least fifteen (15) years of age may be considered for detainment in an adult facility, in some cases as determined by the court. The bill determines that a hearing must occur no less than every thirty (30) days or forty-five (45) days for a rural jurisdiction to determine whether it is in the best interest to still hold a youth in an adult facility. The individual cannot remain in an adult facility for more than one hundred eighty (180) days unless the court determines good cause for an extension. Children placed in an adult jail will be afforded rights and protections including providing their mental health screening information to the facility and allowing visit requests in a timely manner.

This measure also eliminates some of the instances in which a child would be held in an adult facility including committing a crime that would be a felony for an adult, awaiting an initial court appearance, the initial court appearance happening within twenty-four (24) hours of being taken into custody, the court of jurisdiction being outside of the Standard Metropolitan Area, and a lack of acceptable alternative placements.

Prepared By: Suzie Nahach

Fiscal Analysis

After review, HB 2311 has no fiscal or revenue considerations to the state.

Prepared By: Stacy Johnson

Other Considerations

None.