

**JBC STAFF FISCAL ANALYSIS  
HOUSE APPROPRIATIONS COMMITTEE**

CONCERNING CHARGING OF JUVENILES BY DIRECT FILE OF INFORMATION OR INDICTMENT IN DISTRICT COURT.

Prime Sponsors: Reps. Nikkel and McCann  
Senator Giron

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Date Prepared: March 12, 2012

**Summary of Amendments Made to the Bill After the 03/06/12 Legislative Council Staff Fiscal Note Was Prepared (Amended by the Judiciary Committee 03/08/12)**

The Judiciary Committee Report:

- combines the hearing on a motion to transfer a case to juvenile court with the preliminary hearing;
- clarifies that a juvenile convicted as an adult is excluded from mandatory minimum sentencing provisions *unless* the juvenile is convicted of a class 1 felony or for a sex offense that is subject to a sentence of indeterminate commitment; and
- clarifies current law stating that a court may sentence a juvenile as an adult if a juvenile is "convicted of a lesser included or nonenumerated *felony* offense for which criminal charges could not have been originally filed" in the district court, and adds new language stating that the court shall adjudicate the juvenile as a delinquent if the juvenile is convicted of only a misdemeanor offense.

**These amendments do not change the fiscal impact of the bill** as outlined in the Legislative Council Staff Fiscal Note dated March 6, 2012. Legislative Council Staff concurs with this analysis.

**JBC Staff Concurrence with Legislative Council Staff Fiscal Note**

<input checked="" type="checkbox"/> XXX	Concurs	<input type="checkbox"/>	Does Not Concur	<input type="checkbox"/>	Updated Analysis
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**Amendments/Appropriation Status**

The bill neither requires nor contains an appropriation clause for FY 2012-13.

**Bill Sponsor Amendments**

Staff is not aware of any sponsor amendments to be offered.

**Points to Consider**

Although this bill does not affect appropriations for FY 2012-13, it is projected to reduce state General Fund appropriations in future fiscal years (*e.g.*, by \$14,277 in FY 2013-14).