

LEGISLATIVE FISCAL ESTIMATE

SENATE, No. 1280

STATE OF NEW JERSEY

222nd LEGISLATURE

DATED: AUGUST 21, 2026

SUMMARY

Synopsis: Makes various revisions to juvenile justice law.

Type of Impact: Annual State and county expenditure net impacts.

Agencies Affected: Department of Law and Public Safety; Youth Justice Commission; Judiciary; Administrative Office of the Courts; Office of the Public Defender; County Prosecutors, County Jails, and County Juvenile Detention Facilities.

Office of Legislative Services Estimate

Annual Fiscal Impact	
State Expenditure Net Impact	Indeterminate
County Expenditure Net Impact	Indeterminate

- The Office of Legislative Services (OLS) finds the bill will have various, countervailing impacts on annual State and county expenditures, the net effects of which cannot be determined.
- The bill’s provisions requiring hearings to determine pre-sentencing detention placement of certain juvenile offenders may shift expenditures from the county to the State, which would decrease county costs and increase State costs annually by an indeterminate amount.
- Moreover, the bill changes what was previously a discretionary determination, upon application by an interested party, into a mandatory hearing for 18- and 19-year-olds at different points, which are upon arrest or probation violation and again when a detained juvenile turns 18. Additional hearings would mean increased court costs, although the OLS lacks the information to quantify the State cost increase.
- The bill's provision regarding time served credit, which credits a juvenile with time detained while a prosecutor's waiver motion is pending against the juvenile's final disposition, may reduce the length of a juvenile's custodial disposition and correspondingly decrease State and county detention costs by an indeterminate amount. Separately, the bill's requirement that a trial of final disposition occur within two years of a juvenile's intake may increase State and county costs by requiring the Judiciary, county prosecutors, and the Office of the Public

Defender to expedite case processing, though it may also decrease detention costs to the extent it shortens the duration of pretrial detention for affected juveniles. The OLS lacks sufficient information to quantify the net fiscal impact of either provision.

BILL DESCRIPTION

This bill makes various revisions to juvenile justice law and permits the court to order that certain juvenile offenders be detained in a State-operated Youth Justice Commission facility, an adult county jail, or a county juvenile detention facility.

Under current law, standards apply to any juvenile who: has been placed on probation and who violates the conditions of that probation after reaching the age of 18; has been placed on parole and violates the conditions of that parole after reaching the age of 18; or is arrested after reaching the age of 18 on a warrant emanating from the commission of an act of juvenile delinquency. They are as follows: 1) in the case of a person at least 18 years of age but less than 20 years of age, the court, upon application by any interested party, is to determine the place of detention, taking into consideration certain factors; and 2) in the case of a person 20 years of age or older, the person is to be incarcerated in the county jail unless good cause is shown.

Under the provisions of this bill, the following standards apply to any juvenile who has been placed on probation and violates the conditions of that probation after reaching the age of 18 or who is arrested after reaching the age of 18 on a warrant emanating from the commission of an act of juvenile delinquency: 1) in the case of a person 18 years of age but less than 20 years of age, the court is required to hold a hearing to determine whether it is in the interest of justice to detain the juvenile in the county juvenile detention facility, an adult county jail, or a secure facility operated by the Youth Justice Commission; and 2) in the case of a person 20 years of age or older, the person is to be incarcerated in the county jail unless good cause is shown, as provided under current law.

In addition, under the bill, when a juvenile who is detained in a county juvenile detention facility reaches the age of 18, the court is required to hold a hearing to determine whether it is in the interest of justice to continue to detain the person in the county juvenile detention facility or transfer the person to an adult county jail or a secure facility operated by the Youth Justice Commission. At the hearing required pursuant to the bill's provisions, the court is required to determine the place of detention taking into consideration certain factors.

The bill provides that notwithstanding any provisions of law to the contrary, a juvenile may be detained in a secure facility operated by the Youth Justice Commission pursuant to the bill's provisions.

In addition, the bill also grants credit for time served in certain instances and establishes a limitation on the amount of time between a juvenile's intake and final disposition. Under current law, a prosecutor seeking to waive jurisdiction of a juvenile delinquency case from family court to adult criminal court is required to file a motion within 60 days, which time may be extended for good cause. This bill provides that a juvenile who is detained for the period of time taken by the prosecutor to file the motion is to be credited with the time served following the juvenile's final disposition resulting in detention. The bill also requires that a trial of final disposition is to take place within two years following the juvenile's intake.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS finds the bill will have various, countervailing impacts on annual State and county expenditures, the net effects of which cannot be determined.

The bill's provisions requiring hearings to determine pre-sentencing detention placement of certain juvenile offenders may shift expenditures from the county to the State, which would decrease county costs and increase State costs annually by an indeterminate amount. Moreover, the bill changes what was previously a discretionary determination, upon application by an interested party, into a mandatory hearing for 18- and 19-year-olds at different points, which are upon arrest or probation violation and again when a detained juvenile turns 18. More hearings would mean increased court costs, although the OLS lacks the information to quantify the State cost increase.

The bill's provision regarding time served credit, which credits a juvenile with time detained while a prosecutor's waiver motion is pending against the juvenile's final disposition, may reduce the length of a juvenile's custodial disposition and correspondingly decrease State and county detention costs by an indeterminate amount. Separately, the bill's requirement that a trial of final disposition occur within two years of a juvenile's intake may increase State and county costs by requiring the Judiciary, county prosecutors, and the Office of the Public Defender to expedite case processing, though it may also decrease detention costs to the extent it shortens the duration of pretrial detention for affected juveniles. The OLS lacks sufficient information to quantify the net fiscal impact of either provision.

County Juvenile Detention Facility Cost: According to the Department of Law and Public Safety's responses to FY 2027 Budget Discussion Point Questions, the average Statewide per diem rate for a juvenile to be detained in a county juvenile detention facility is \$537.

County Jail Cost: In 2024, according to information provided by the Administrative Office of the Courts, the median daily cost to house an individual in a county jail is \$228.

Youth Justice Commission Secure Facility Cost: The Youth Justice Commission's daily cost per secure inmate will fluctuate depending on how many juveniles are sentenced to each of the respective facilities. According to data provided in the FY 2027 Governor's proposed budget, the State spent \$1,045 per day to house a juvenile in a secure facility.

County Juvenile Detention Facilities Overview - The table below, provided by the Youth Justice Commission, reflects the capacity of the seven New Jersey County Youth Detention Facilities. The OLS notes that prior to 2004, 17 counties operated detention facilities. Between 2004 and 2020, ten counties closed their facilities and contracted with the seven remaining county detention facilities. The average per diem rate paid by the sending counties to the contracted county facilities varies from \$217 to \$1,383, with a Statewide average per diem rate of \$537.

New Jersey County Youth Detention Facility Capacity*	
Detention Facility	Current Rated Capacity (set October 2024)
Atlantic	20
Bergen**	24
Camden***	40
Essex	136
Middlesex	60
Morris	24
Ocean	28
Total	332

*Provided by the Youth Justice Commission.
**Structurally, Bergen can accommodate 29 youth; upon opening their current facility, Bergen requested a capacity of 24.
***Structurally, Camden can accommodate 77 youth; upon opening their current facility, Camden requested a capacity of 61.

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This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).