

1 (a) The Director of Juvenile Services may establish at each
2 facility under his or her jurisdiction a "Juvenile Trustee Fund".
3 The administrator or designee of each facility may receive and take
4 charge of the money and personal property, as defined by policy, of
5 all juveniles in his or her facility and all money or personal
6 property, as defined by policy, sent to the juveniles or earned by
7 the juveniles as compensation for work performed while they are
8 domiciled there. The administrator or designee shall credit the
9 money and earnings to the juveniles entitled to it and shall keep
10 an accurate account of all the money and personal property so
11 received, which account is subject to examination by the Director
12 of Juvenile Services and the Assistant Director of Budget and
13 Finance of the Division of Juvenile Services. The administrator or
14 designee shall deposit the moneys in one or more responsible banks
15 in accounts to be designated a "Juvenile Trustee Fund".

16 (b) The administrator or designee shall keep in an account for
17 all juveniles at least ten percent of all money earned during the
18 juveniles commitment and pay the money to the juvenile at the time
19 of the juvenile's release. The administrator or designee may
20 authorize the juvenile to withdraw money from his or her mandatory
21 savings for the purpose of preparing the juvenile for reentry into
22 society.

23 (c) The administrator or designee shall deliver to the
24 juvenile at the time he or she leaves the facility, or as soon as

1 practicable after departure, all personal property, moneys and
2 earnings then credited to the juvenile, or in case of the death of
3 the juvenile before authorized release from the facility, the
4 administrator or designee shall deliver the property to the
5 juvenile's personal representative. If a conservator is appointed
6 for the juvenile while he or she is domiciled at the facility, the
7 administrator or designee shall deliver to the conservator, upon
8 proper demand, all moneys and personal property belonging to the
9 juvenile that are in the custody of the administrator.

10 (d) If any money is credited to a former juvenile resident
11 after remittance of the sum of money as provided in subsection (c),
12 the administrator or designee shall mail the funds to the former
13 juvenile resident's last known address. If the funds are returned
14 to the facility, the administrator or designee will forward those
15 funds to the Division of Juvenile Service's Assistant Director of
16 Budget and Finance to submit the funds to the State Treasurer's
17 Office-Unclaimed Property Division.

18 (e) The facility shall compile a monthly report that
19 specifically documents juvenile trustee fund receipts and
20 expenditures and submit the reconciled monthly bank statements to
21 the Division of Juvenile Service's Assistant Director of Budget and
22 Finance.

23 **§49-5E-6b. Juvenile benefit funds.**

24 (a) The Director of Juvenile Services may establish at each

1 facility under his or her jurisdiction a juvenile benefit fund. The
2 juvenile benefit fund is a fund held by the facility for the
3 benefit and welfare of juvenile residents committed in state
4 juvenile facilities. The administrator or designee shall deposit
5 the moneys in one or more responsible banks in accounts to be
6 designated a "Juvenile Benefit Funds".

7 (b) Moneys in an account established for a juvenile benefit
8 fund may be expended by the facility for the purposes set forth in
9 this section. Moneys to be deposited into a juvenile benefit fund
10 consist of:

11 (1) All profit from the exchange or commissary operation and,
12 if the commissary is operated by a vendor, whether a public or
13 private entity, the profit is the negotiated commission paid to the
14 Division of Juvenile Services by the vendor;

15 (2) All net proceeds from vending machines used for juvenile
16 resident visitation;

17 (3) All proceeds from contracted juvenile resident telephone
18 commissions;

19 (4) Any funds that may be assigned by juveniles or donated to
20 the facility by the general public or a service organization on
21 behalf of all the juveniles; and

22 (5) Any funds confiscated considered contraband.

23 (c) The juvenile benefit fund may only be used for the
24 following purposes at juvenile facilities:

1 (1) Open-house visitation functions or other nonroutine
2 campus-wide activities which will enhance programming goals of the
3 facility;

4 (2) Holiday functions which may include decorations, food and
5 gifts for residents or family of residents;

6 (3) Rental of videos;

7 (4) Payment of video license;

8 (5) Supplemental supplies and equipment which will enrich the
9 facilities' program activities;

10 (6) Hardship needs for juvenile residents if approved by the
11 Division of Juvenile Services Director; and

12 (7) Any special activities or rewards for residents.

13 (d) The facility shall compile a monthly report that
14 specifically documents juvenile benefit fund receipts and
15 expenditures and submit the reconciled monthly bank statements to
16 the Division of Juvenile Services Assistant Director of Budget and
17 Finance.

NOTE: The purpose of this bill is to allow the Division of Juvenile Services to maintain trustee bank accounts, earnings and property for its residents in the same manner as accounts are handled by the Division of Corrections; and to create a resident benefit fund for the benefit and welfare of the residents domiciled in any state juvenile facility and for the benefit of the victims.

§49-5E-6a and §49-5E-6b are new; therefore, it has been completely underscored.