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**WELFARE AND INSTITUTIONS CODE - WIC**

**DIVISION 2. CHILDREN [100 - 1500]** ( *Division 2 enacted by Stats. 1937, Ch. 369.*  )

**PART 1. DELINQUENTS AND WARDS OF THE JUVENILE COURT [100 - 1459]** ( *Part 1 enacted by Stats. 1937, Ch. 369.*  )

**CHAPTER 2. Juvenile Court Law [200 - 987]** ( *Chapter 2 repealed and added by Stats. 1961, Ch. 1616.*  )

**ARTICLE 18.8. County Juvenile Correctional Facilities Act [749.3 - 749.33]** ( *Article 18.8 added by Stats. 1998, Ch. 499, Sec. 1.*  )

**749.3.** This title shall be known and may be cited as the County Juvenile Correctional Facilities Act.

(*Added by Stats. 1998, Ch. 499, Sec. 1. Effective September 15, 1998.*)

**749.31.** The Legislature finds and declares all of the following:

- (a) While the County Correctional Capital Expenditure Bond Act of 1986 and the County Correctional Facility Capital Expenditure and Youth Facility Bond Act of 1988 have provided ninety million dollars (\$90,000,000) for county juvenile facilities for remodeling to help ensure health and safety requirements, many problems remain.
- (b) Numerous county juvenile facilities throughout California are dilapidated and overcrowded and do not meet standards. Over 40 percent or 4,335 facility beds are in need of renovation, reconstruction, construction, and deferred maintenance.
- (c) Capital improvements are necessary to protect the life and safety of the persons confined or employed in juvenile facilities and to upgrade the health and sanitary conditions of those facilities.
- (d) Over two hundred twenty million dollars (\$220,000,000) is needed to remodel, upgrade, or replace 4,335 beds by the year 2000.
- (e) Due to fiscal constraints associated with the loss of local property tax revenues, counties are unable to finance the construction of adequate juvenile facilities.
- (f) Local juvenile facilities are operating over capacity or must implement emergency release procedures, and the population of these facilities is still increasing. It is essential to the public safety that construction proceed as expeditiously as possible to relieve overcrowding and to maintain public safety and security.
- (g) County juvenile facilities are threatened with closure or the imposition of court ordered sanctions if health and safety deficiencies are not corrected immediately.

(*Added by Stats. 1998, Ch. 499, Sec. 1. Effective September 15, 1998.*)

**749.32.** As used in this article, the following terms have the following meanings:

- (a) "County juvenile facilities" means county juvenile halls or camps.
- (b) "Board" means the Board of Corrections.

(*Added by Stats. 1998, Ch. 499, Sec. 1. Effective September 15, 1998.*)

**749.33.** (a) Upon appropriation by the Legislature, moneys may be available to the board for the purpose of awarding grants on a competitive basis to counties for the renovation, reconstruction, construction, completion of construction, and replacement of county juvenile facilities, and the performance of deferred maintenance on county juvenile facilities. However, deferred maintenance for facilities shall only include items with a useful life of at least 10 years. Up to 1<sup>1</sup>/<sub>2</sub> percent of these moneys may be used by the board for administration of this article.

(b) No grant shall be awarded pursuant to this article unless the applicant makes available resources in an amount equal to at least 25 percent of the amount of the grant. Resources may include in-kind contributions from participating agencies, but in no event shall the applicant's cash contribution be less than 10 percent of the grant.

(c) An application for funds shall be in the manner and form prescribed by the board and pursuant to recommendations of an allocation advisory committee appointed by the board. From these recommendations, an allocation plan shall be developed and adopted by the board. The allocation advisory committee shall convene upon notification by the board.

(d) Any application for funds shall include, but not be limited to, all of the following:

(1) Documentation of need for the project or projects.

(2) Adoption of a formal county plan to finance construction of the proposed project or projects.

(3) Submittal of a preliminary staffing plan for the project or projects.

(4) Submittal of architectural drawings, which shall be approved by the board for compliance with minimum juvenile detention facility standards and which shall also be approved by the State Fire Marshal for compliance with fire and life safety requirements.

(5) Documentation that the facilities will be safely staffed and operated in compliance with law, including applicable regulations of the board.

(e) The board shall not be deemed a responsible agency, as defined in Section 21069 of the Public Resources Code, or otherwise be subject to the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code) for any activities undertaken or funded pursuant to this title. This subdivision does not exempt any local agency from the requirements of the California Environmental Quality Act.

*(Added by Stats. 1998, Ch. 499, Sec. 1. Effective September 15, 1998.)*