

117TH CONGRESS
1ST SESSION

H. R. 4744

To establish a grant to provide mental health services and behavioral health services to at-risk youth, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 28, 2021

Mr. CÁRDENAS (for himself and Ms. BASS) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To establish a grant to provide mental health services and behavioral health services to at-risk youth, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Eliminating Debtor’s
5 Prison for Kids Act of 2021”.

6 **SEC. 2. YOUTH MENTAL HEALTH GRANT.**

7 (a) IN GENERAL.—Beginning not later than 180
8 days after the date of enactment of this Act, the Attorney
9 General shall carry out a program under which the Attor-
10 ney General makes grants to eligible States for the pur-

1 pose of providing evidence-based and trauma-informed
2 mental and behavioral health services to at-risk youth, in-
3 cluding juveniles in secure detention or correctional facili-
4 ties in the State.

5 (b) ELIGIBILITY.—To be eligible to receive a grant
6 under this section, a State shall—

7 (1) certify to the Attorney General that the
8 laws of the State prohibit a juvenile offender or a
9 parent or guardian of such a juvenile from being or-
10 dered to pay probation supervision fees or court ad-
11 ministrative fees, including the cost of court-ap-
12 pointed attorneys or public defenders, the cost of
13 prosecution, or other administrative costs of the
14 court;

15 (2) certify to the Attorney General that the
16 laws of the State prohibit a parent or guardian of
17 a juvenile offender from paying child support or
18 other costs for detention or post-adjudication place-
19 ment to the State; and

20 (3) submit to the Attorney General an applica-
21 tion at such time, in such manner, and containing
22 such information as the Attorney General may re-
23 quire.

24 (c) USE OF FUNDS.—A State that receives a grant
25 under this section shall use the grant to provide evidence-

1 based and trauma-informed mental and behavioral health
 2 services to at-risk juveniles, including juveniles in secure
 3 detention or correctional facilities in the State.

4 (d) CONTRACTS AND SUBGRANTS.—

5 (1) IN GENERAL.—A State may, in using a
 6 grant under this section for purposes authorized by
 7 subsection (c), use all or a portion of that grant to
 8 contract with or make one or more subgrants to one
 9 or more units of local government.

10 (2) USE OF FUNDS.—An entity that receives a
 11 contract or a subgrant under this subsection may
 12 use such funds to provide services or benefits de-
 13 scribed under subsection (c).

14 (e) INFORMATION FOR REPORT.—A State that re-
 15 ceives a grant under this section shall provide to an inde-
 16 pendent criminal justice organization, selected by the At-
 17 torney General, such information as is necessary to com-
 18 plete the report described in section 3.

19 (f) AUTHORIZATION OF APPROPRIATIONS.—There
 20 are authorized to be appropriated to carry out this section
 21 \$500,000,000 for each of fiscal years 2021 through 2025.

22 **SEC. 3. NATIONAL REPORT.**

23 (a) INDEPENDENT REPORT.—Not later than 18
 24 months after the date of enactment of this Act, an inde-
 25 pendent criminal justice organization, selected by the At-

1 torney General, shall submit to the Committee on the Ju-
2 diciary of the House of Representatives and the Com-
3 mittee on the Judiciary of the Senate a national report
4 on fines and fees imposed on adults and juveniles in the
5 criminal justice system, including—

6 (1) information with respect to the monetary
7 amount of fines and fees imposed, including the
8 race, ethnicity, tribal affiliation, and other demo-
9 graphic data of the individuals upon whom such
10 fines and fees are imposed and the rate at which in-
11 dividuals are reincarcerated within 1 year of release
12 from a secure detention facility or a secure correc-
13 tional facility;

14 (2) a description of each type of service for
15 which a fee is imposed;

16 (3) a description of each type of charge for
17 which a fine is imposed;

18 (4) a comparison of the average length of incar-
19 ceration or detention for individuals who are unable
20 to pay a fine and the average length of incarceration
21 or detention for individuals who are able to pay a
22 fine based on the amount of the fine; and

23 (5) a disclosure of the sum total of fines and
24 fees collected minus the cost to collect such sum.

1 (b) AUTHORIZATION OF APPROPRIATIONS.—There
2 are authorized to be appropriated to carry out this section
3 \$2,000,000 for fiscal year 2021, which shall remain avail-
4 able until expended.

5 **SEC. 4. DEFINITIONS.**

6 In this Act:

7 (1) AT-RISK YOUTH.—The term “at-risk youth”
8 means an individual who—

9 (A) has not attained the age of 21; and

10 (B)(i) is likely to fail academically without
11 intervention, including an individual who—

12 (I) has a high truancy rate;

13 (II) has withdrawn from school pre-
14 viously;

15 (III) is not less than 1 year behind
16 the appropriate grade level for an indi-
17 vidual of the same age; or

18 (IV) has limited English language
19 proficiency;

20 (ii) has a history of or is actively using
21 drugs or alcohol;

22 (iii) is pregnant or a parent;

23 (iv) is a gang member;

24 (v) is in contact with the juvenile justice
25 system; or

1 (vi) is homeless, has run away from home,
2 or is in foster care.

3 (2) EVIDENCE-BASED.—The term “evidence-
4 based” has the meaning given such term in section
5 103 of the Juvenile Justice and Delinquency Preven-
6 tion Act of 1974 (34 U.S.C. 11103).

7 (3) JUVENILE OFFENDER.—The term “juvenile
8 offender” means an individual—

9 (A) who has not attained the age of 21;
10 and

11 (B)(i) against whom a petition is filed for
12 the adjudication of a delinquency offense under
13 the laws of a State or the United States; or

14 (ii) who has been adjudicated delinquent
15 for a delinquency offense under the laws of a
16 State or the United States.

17 (4) SECURE CORRECTIONAL FACILITY.—The
18 term “secure correctional facility” has the meaning
19 given such term in section 103 of the Juvenile Jus-
20 tice and Delinquency Prevention Act of 1974 (34
21 U.S.C. 11103).

22 (5) SECURE DETENTION FACILITY.—The term
23 “secure detention facility” has the meaning given
24 such term in section 103 of the Juvenile Justice and

1 Delinquency Prevention Act of 1974 (34 U.S.C.
2 11103).

3 (6) STATE.—The term “State” means any
4 State of the United States, the District of Columbia,
5 the Commonwealth of Puerto Rico, the United
6 States Virgin Islands, Guam, American Samoa, the
7 Commonwealth of the Northern Mariana Islands,
8 and any possession of the United States.

9 (7) TRAUMA-INFORMED.—The term “trauma-
10 informed” has the meaning given such term in sec-
11 tion 103 of the Juvenile Justice and Delinquency
12 Prevention Act of 1974 (34 U.S.C. 11103).

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