119TH CONGRESS
2D SESSION

S. _____

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

IN THE SENATE OF THE UNITED STATES

Mr. BOOKER introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

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

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Eliminating Debtor's Prison for Kids Act of 2026''.

SEC. 2. YOUTH MENTAL HEALTH AND DIVERSION PROGRAM GRANTS.

(a) IN GENERAL.—Beginning not later than 180 days after the date of enactment of this Act, the Attorney General shall carry out a program under which the Attor-

ney General makes grants to eligible States for the purpose of—

(1) providing evidence-based and trauma-informed mental and behavioral health services to at-risk youth, including juveniles in secure detention facilities or secure correctional facilities in the State; and

(2) implementing pre-adjudication and post-adjudication diversion programs for at-risk youth to limit their involvement in the juvenile system.

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

(1) certify to the Attorney General that the laws of the State prohibit an adjudicated youth or a parent or guardian of such a youth from being ordered to pay probation supervision fees or court administrative fees, including the cost of court-appointed attorneys or public defenders, the cost of prosecution, or other administrative costs of the court;

(2) certify to the Attorney General that the laws of the State prohibit a parent or guardian of an adjudicated youth from paying child support or other costs for detention or post-adjudication placement to the State; and

(3) submit to the Attorney General an application at such time, in such manner, and containing such information as the Attorney General may require.

(c) USE OF FUNDS.—A State that receives a grant under this section shall use the grant—

(1) to provide evidence-based and trauma-informed mental and behavioral health services to at-risk youth, including juveniles in secure detention facilities or secure correctional facilities in the State; and

(2) to implement pre-adjudication and post-adjudication diversion programs.

(d) CONTRACTS AND SUBGRANTS.—

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

(2) USE OF FUNDS.—An entity that receives a contract or a subgrant under this subsection may use such funds to provide services or benefits described under subsection (c).

(e) INFORMATION FOR REPORT.—A State that receives a grant under this section shall provide to an inde-

pendent criminal justice organization, selected by the Attorney General, such information as is necessary to complete the report described in section 3.

(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $500,000,000 for each of fiscal years 2027 through 2031.

SEC. 3. NATIONAL REPORT.

(a) INDEPENDENT REPORT.—Not later than 18 months after the date of enactment of this Act, an independent criminal justice organization, selected by the Attorney General, shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a national report on fines and fees imposed on adults and juveniles in the criminal justice system, including—

(1) information with respect to the monetary amount of fines and fees imposed, including the race, ethnicity, Tribal affiliation, and other demographic data of the individuals upon whom such fines and fees are imposed and the rate at which individuals are reincarcerated within 1 year of release from a secure detention facility or a secure correctional facility;

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

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

(4) a comparison of the average length of incarceration or detention for individuals who are unable to pay a fine and the average length of incarceration or detention for individuals who are able to pay a fine based on the amount of the fine; and

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

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $2,000,000 for fiscal year 2027, which shall remain available until expended.

SEC. 4. GRANT ELIGIBILITY.

In awarding grants under this Act to any entity and in determining the eligibility of the entity to receive grant funds, the Attorney General may not require the entity to agree to comply with, certify compliance with, or comply with—

(1) section 642 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1373);

(2) any memorandum issued by the President; or

(3) any Executive order issued by the President.

SEC. 5. DEFINITIONS.

In this Act:

(1) ADJUDICATED YOUTH.—The term '' adjudicated youth'' means an individual—

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

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

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

(2) AT-RISK YOUTH.—The term ''at-risk youth'' means an individual who—

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

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

(I) has a high truancy rate;

(II) has withdrawn from school previously;

(III) is not less than 1 year behind the appropriate grade level for an individual of the same age; or

(IV) has limited English language proficiency;

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

(iii) is pregnant or a parent;

(iv) is a gang member;

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

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

(3) EVIDENCE-BASED.—The term ''evidence-based'' has the meaning given such term in section 103 of the Juvenile Justice and Delinquency Prevention Act of 1974 (34 U.S.C. 11103).

(4) SECURE CORRECTIONAL FACILITY.—The term ''secure correctional facility'' has the meaning given such term in section 103 of the Juvenile Justice and Delinquency Prevention Act of 1974 (34 U.S.C. 11103).

(5) SECURE DETENTION FACILITY.—The term ''secure detention facility'' has the meaning given such term in section 103 of the Juvenile Justice and Delinquency Prevention Act of 1974 (34 U.S.C. 11103).

(6) STATE.—The term ''State'' means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and any possession of the United States.

(7) TRAUMA-INFORMED.—The term ''trauma-informed'' has the meaning given such term in section 103 of the Juvenile Justice and Delinquency Prevention Act of 1974 (34 U.S.C. 11103).