

1894; Pub. L. 115-385, title II, §204(a), Dec. 21, 2018, 132 Stat. 5130.)

### Editorial Notes

#### CODIFICATION

Section was formerly classified to section 5631 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section. Some section numbers or references in amendment notes below reflect the classification of such sections or references prior to editorial reclassification.

#### AMENDMENTS

2018—Subsec. (b)(1). Pub. L. 115-385 substituted “5 percent” for “2 percent”.

2002—Subsec. (b)(2). Pub. L. 107-273 struck out at end “In providing such technical assistance, the recipient of a grant or contract under this subsection shall coordinate its activities with the State agency described in section 5671(c)(1) of this title.”

1998—Subsec. (a). Pub. L. 105-277 substituted “units of local government” for “units of general local government”.

1992—Subsec. (b)(2). Pub. L. 102-586, §2(f)(1)(A), which directed the substitution of “experience” for “existence”, could not be executed because “existence” did not appear in text.

Pub. L. 102-586, §2(f)(1)(B), made technical amendment to reference to section 5671 of this title to reflect renumbering of corresponding section of original act.

1988—Pub. L. 100-690 inserted “and contracts” after “grants” in section catchline, designated existing provisions as subsec. (a), and added subsec. (b).

1984—Pub. L. 98-473 amended section catchline.

1977—Pub. L. 95-115 inserted “grants and” before “contracts” and substituted “units of general local government or combinations thereof” for “local governments”.

### Statutory Notes and Related Subsidiaries

#### EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by Pub. L. 115-385 not applicable with respect to funds appropriated for any fiscal year that begins before Dec. 21, 2018, see section 3 of Pub. L. 115-385, set out as a note under section 11102 of this title.

#### EFFECTIVE DATE OF 2002 AMENDMENT

Amendment by Pub. L. 107-273 effective on the first day of the first fiscal year that begins after Nov. 2, 2002, and applicable only with respect to fiscal years beginning on or after the first day of the first fiscal year that begins after Nov. 2, 2002, see section 12223 of Pub. L. 107-273, set out as a note under section 11101 of this title.

#### EFFECTIVE DATE OF 1988 AMENDMENT

Amendment by Pub. L. 100-690 effective Oct. 1, 1988, see section 7296(a) of Pub. L. 100-690, set out as a note under section 11101 of this title.

#### EFFECTIVE DATE OF 1977 AMENDMENT

Amendment by Pub. L. 95-115 effective Oct. 1, 1977, see section 263(c) of Pub. L. 93-415, as added by Pub. L. 95-115 and repealed by Pub. L. 100-690, title VII, §7266(2), Nov. 18, 1988, 102 Stat. 4449, formerly set out as a note under section 11101 of this title.

#### SHORT TITLE

For short title of part B of title II of Pub. L. 93-415, which is classified to this part, as the “Charles Grassley Juvenile Justice and Delinquency Prevention Program”, see section 220 of Pub. L. 93-415, set out as a Short Title of 1974 Act note under section 10101 of this title.

### § 11132. Allocation of funds

#### (a) Time; basis; amounts

(1) Subject to paragraph (2) and in accordance with regulations promulgated under this part, funds shall be allocated annually among the States on the basis of relative population of people under 18 years of age, based on the most recent data available from the Bureau of the Census.

(2)(A) If the aggregate amount appropriated for a fiscal year to carry out this subchapter is less than \$75,000,000, then—

(i) the amount allocated to each State other than a State described in clause (ii) for that fiscal year shall be not less than \$400,000; and

(ii) the amount allocated to the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands for that fiscal year shall be not less than \$75,000.

(B) If the aggregate amount appropriated for a fiscal year to carry out this subchapter is not less than \$75,000,000, then—

(i) the amount allocated to each State other than a State described in clause (ii) for that fiscal year shall be not less than \$600,000; and

(ii) the amount allocated to the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands for that fiscal year shall be not less than \$100,000.

#### (b) Reallocation of unobligated funds

If any amount so allocated remains unobligated at the end of the fiscal year, such funds shall be reallocated in a manner equitable and consistent with the purpose of this part. Any amount so reallocated shall be in addition to the amounts already allocated and available to the State, the Virgin Islands, American Samoa, Guam, and the Commonwealth of the Northern Mariana Islands for the same period.

#### (c) Use of allocated funds for development, etc., of State plans; limitations; matching requirements

In accordance with regulations promulgated under this part, a portion of any allocation to any State under this part shall be available to develop a State plan or for other pre-award activities associated with such State plan, and to pay that portion of the expenditures which are necessary for effective and efficient administration of funds, including the designation of not less than one individual who shall coordinate efforts to achieve and sustain compliance with the core requirements and certify whether the State is in compliance with such requirements. Not more than 10 percent of the total annual allocation of such State shall be available for such purposes except that any amount expended or obligated by such State, or by units of local government or any combination thereof, from amounts made available under this subsection shall be matched (in an amount equal to any such amount so expended or obligated) by such State, or by such units or combinations, from State or local funds, as the case may be. The State shall make available needed funds for planning and administration to units of local

government or combinations thereof within the State on an equitable basis.

**(d) Minimum annual allocation for assistance of advisory group**

In accordance with regulations promulgated under this part, not more than 5 percent of the annual allocation to any State under this part shall be available to assist the advisory group established under section 11133(a)(3) of this title.

(Pub. L. 93-415, title II, §222, Sept. 7, 1974, 88 Stat. 1118; Pub. L. 95-115, §4(b)(1), (2)(A)-(C), (3), (4), Oct. 3, 1977, 91 Stat. 1051; Pub. L. 96-509, §10, Dec. 8, 1980, 94 Stat. 2755; Pub. L. 98-473, title II, §625(b), Oct. 12, 1984, 98 Stat. 2111; Pub. L. 100-690, title VII, §7257, Nov. 18, 1988, 102 Stat. 4438; Pub. L. 102-586, §2(f)(2), Nov. 4, 1992, 106 Stat. 4987; Pub. L. 105-277, div. A, §101(b) [title I, §129(a)(2)(B)], Oct. 21, 1998, 112 Stat. 2681-50, 2681-75; Pub. L. 107-273, div. C, title II, §12208, Nov. 2, 2002, 116 Stat. 1873; Pub. L. 115-385, title II, §204(b), Dec. 21, 2018, 132 Stat. 5130.)

**Editorial Notes**

**CODIFICATION**

Section was formerly classified to section 5632 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section. Some section numbers or references in amendment notes below reflect the classification of such sections or references prior to editorial reclassification.

**AMENDMENTS**

2018—Subsec. (a)(1). Pub. L. 115-385, §204(b)(1)(A), substituted “18 years of age, based on the most recent data available from the Bureau of the Census” for “age eighteen”.

Subsec. (a)(2), (3). Pub. L. 115-385, §204(b)(1)(B), added par. (2) and struck out former pars. (2) and (3) which set out allocated amounts to States depending on whether aggregate appropriations were less than, equal to, or more than \$75,000,000 and stipulated a condition if the amount allocated would be less than the amount allocated to the State for fiscal year 2000.

Subsec. (c). Pub. L. 115-385, §204(b)(2), substituted “effective and efficient administration of funds, including the designation of not less than one individual who shall coordinate efforts to achieve and sustain compliance with the core requirements and certify whether the State is in compliance with such requirements” for “efficient administration, including monitoring, evaluation, and one full-time staff position”.

Subsec. (d). Pub. L. 115-385, §204(b)(3), substituted “not more than 5 percent of the” for “5 per centum of the minimum”.

2002—Subsec. (a)(2)(A). Pub. L. 107-273, §12208(1)(A)(i), struck out “(other than parts D and E)” after “carry out this subchapter”, substituted “amount up to \$400,000” for “amount, up to \$400,000,”, “fiscal year 2000, except” for “fiscal year 1992 except”, “amount up to \$100,000” for “amount, up to \$100,000,”, and “fiscal year 2000, each” for “fiscal year 1992, each”, and struck out “the Trust Territory of the Pacific Islands,” after “American Samoa,”.

Subsec. (a)(2)(B). Pub. L. 107-273, §12208(1)(A)(ii), struck out “(other than part D)” after “carry out this subchapter”, substituted “less than \$600,000” for “less than \$400,000”, “amount up to \$100,000” for “amount, up to \$100,000,”, and “fiscal year 2000,” for “fiscal year 1992”, and struck out “or such greater amount, up to \$600,000, as is available to be allocated if appropriations have been enacted and made available to carry out parts D and E of this subchapter in the full amounts authorized by section 5671(a)(1) and (3) of this title” before “except that” and “the Trust Territory of the Pacific Islands,” after “American Samoa,”.

Subsec. (a)(3). Pub. L. 107-273, §12208(1)(B), substituted “fiscal year 2000” for “fiscal year 1992” in two places and “allocate” for “allot”.

Subsec. (b). Pub. L. 107-273, §12208(2), struck out “the Trust Territory of the Pacific Islands,” after “Guam,”.

1998—Subsec. (c). Pub. L. 105-277 substituted “units of local government” for “units of general local government” in two places.

1992—Subsec. (a)(2)(A). Pub. L. 102-586, §2(f)(2)(A), (B)(i), substituted “parts D and E” for “part D”, substituted “allocated” for “allotted” in two places, and inserted “or such greater amount, up to \$400,000, as is available to be allocated without reducing the amount of any State or territory’s allocation below the amount allocated for fiscal year 1992” and “or such greater amount, up to \$100,000, as is available to be allocated without reducing the amount of any State or territory’s allocation below the amount allocated for fiscal year 1992,”.

Subsec. (a)(2)(B). Pub. L. 102-586, §2(f)(2)(A), (B)(ii), substituted “allocated” for “allotted” in two places and inserted “or such greater amount, up to \$600,000, as is available to be allocated if appropriations have been enacted and made available to carry out parts D and E of this subchapter in the full amounts authorized by section 5671(a)(1) and (3) of this title” and “or such greater amount, up to \$100,000, as is available to be allocated without reducing the amount of any State or territory’s allocation below the amount allocated for fiscal year 1992”.

Subsec. (a)(3). Pub. L. 102-586, §2(f)(2)(A), (B)(iii), substituted “allocated” for “allotted” wherever appearing and “1992” for “1988” in two places.

Subsec. (b). Pub. L. 102-586, §2(f)(2)(A), substituted “allocated” for “allotted” in two places.

Subsec. (c). Pub. L. 102-586, §2(f)(2)(A), (C), substituted “allocation” for “allotment” in two places, “evaluation, and one full-time staff position” for “and evaluation”, and “10 percent” for “7½ per centum”.

Subsec. (d). Pub. L. 102-586, §2(f)(2)(A), substituted “allocation” for “allotment”.

1988—Subsec. (a)(1). Pub. L. 100-690, §7257(a)(1), (2), designated existing provisions as par. (1), substituted “Subject to paragraph (2) and in” for “In”, and struck out at end “No such allotment to any State shall be less than \$225,000, except that for the Virgin Islands, Guam, American Samoa, the Trust Territory of the Pacific Islands, and the Commonwealth of the Northern Mariana Islands no allotment shall be less than \$56,250.”

Subsec. (a)(2), (3). Pub. L. 100-690, §7257(a)(3), added pars. (2) and (3).

Subsec. (b). Pub. L. 100-690, §7257(b), substituted “If” for “Except for funds appropriated for fiscal year 1975, if” and struck out after first sentence “Funds appropriated for fiscal year 1975 may be obligated in accordance with subsection (a) until June 30, 1976, after which time they may be reallocated.”

1984—Subsec. (b). Pub. L. 98-473 substituted “the Trust Territory” for “and the Trust Territory” and inserted “and the Commonwealth of the Northern Mariana Islands” after “Pacific Islands”.

1980—Subsec. (a). Pub. L. 96-509 inserted reference to the Commonwealth of the Northern Mariana Islands.

1977—Subsec. (a). Pub. L. 95-115, §4(b)(1), substituted “\$225,000” for “\$200,000” and “\$56,250” for “\$50,000”.

Subsec. (c). Pub. L. 95-115, §4(b)(2)(A), (B), (3), inserted provisions relating to pre-award activities, monitoring and evaluation payments, and matching requirements for expended or obligated amounts, and substituted “7½” for “15” and “units of general local government or combinations thereof” for “local governments”.

Subsec. (d). Pub. L. 95-115, §4(b)(2)(C), (4)(B), redesignated subsec. (e) as (d). Former subsec. (d), relating to limitations on financial assistance under this section, was struck out.

Subsec. (e). Pub. L. 95-115, §4(b)(4)(A), (B), added subsec. (e) and redesignated former subsec. (e) as (d).

**Statutory Notes and Related Subsidiaries**

## EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by Pub. L. 115-385 not applicable with respect to funds appropriated for any fiscal year that begins before Dec. 21, 2018, see section 3 of Pub. L. 115-385, set out as a note under section 11102 of this title.

## EFFECTIVE DATE OF 2002 AMENDMENT

Amendment by Pub. L. 107-273 effective on the first day of the first fiscal year that begins after Nov. 2, 2002, and applicable only with respect to fiscal years beginning on or after the first day of the first fiscal year that begins after Nov. 2, 2002, see section 12223 of Pub. L. 107-273, set out as a note under section 11101 of this title.

## EFFECTIVE DATE OF 1988 AMENDMENT

Amendment by Pub. L. 100-690 effective Oct. 1, 1988, see section 7296(a) of Pub. L. 100-690, set out as a note under section 11101 of this title.

## EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by Pub. L. 98-473 effective Oct. 12, 1984, see section 670(a) of Pub. L. 98-473, set out as a note under section 11101 of this title.

## EFFECTIVE DATE OF 1977 AMENDMENT

Amendment by section 4(b)(1), (3) of Pub. L. 95-115 effective Oct. 1, 1977, see section 263(c) of Pub. L. 93-415, as added by Pub. L. 95-115 and repealed by Pub. L. 100-690, title VII, §7266(2), Nov. 18, 1988, 102 Stat. 4449, formerly set out as a note under section 11101 of this title.

Pub. L. 95-115, §4(b)(2)(D), Oct. 3, 1977, 91 Stat. 1051, provided that: "The amendments made by this paragraph [amending this section] shall take effect on October 1, 1978."

Pub. L. 95-115, §4(b)(4)(B), Oct. 3, 1977, 91 Stat. 1051, provided that the amendment made by such section 4(b)(4)(B) is effective Oct. 1, 1978.

**§ 11133. State plans****(a) Requirements**

In order to receive formula grants under this part, a State shall submit a plan for carrying out its purposes applicable to a 3-year period. Such plan shall be amended annually to include new programs, projects, and activities. The State shall submit annual performance reports to the Administrator which shall describe progress in implementing programs contained in the original plan, and shall describe how the State plan is supported by or takes account of scientific knowledge regarding adolescent development and behavior and regarding the effects of delinquency prevention programs and juvenile justice interventions on adolescents. Not later than 60 days after the date on which a plan or amended plan submitted under this subsection is finalized, a State shall make the plan or amended plan publicly available by posting the plan or amended plan on the State's publicly available website. In accordance with regulations which the Administrator shall prescribe, such plan shall—

(1) designate the State agency as designated by the chief executive officer of the State as the sole agency for supervising the preparation and administration of the plan;

(2) contain satisfactory evidence that the State agency designated in accordance with paragraph (1) has or will have authority, by legislation if necessary, to implement such plan in conformity with this part;

(3) provide for an advisory group that—

(A) shall consist of not less than 15 and not more than 33 members appointed by the chief executive officer of the State—

(i) which members have training, experience, or special knowledge concerning adolescent development, the prevention and treatment of juvenile delinquency, the administration of juvenile justice, or the reduction of juvenile delinquency;

(ii) which members include—

(I) at least 1 locally elected official representing general purpose local government;

(II) representatives of law enforcement and juvenile justice agencies, including juvenile and family court judges, prosecutors, counsel for children and youth, and probation workers;

(III) representatives of public agencies concerned with delinquency prevention or treatment, such as welfare, social services, child and adolescent mental health, education, child and adolescent substance abuse, special education, services for youth with disabilities, recreation, and youth services;

(IV) representatives of private non-profit organizations, including persons with a special focus on preserving and strengthening families, parent groups and parent self-help groups, youth development, delinquency prevention and treatment, neglected or dependent children, the quality of juvenile justice, education, and social services for children;

(V) volunteers who work with delinquent youth or youth at risk of delinquency;

(VI) representatives of programs that are alternatives to incarceration, including programs providing organized recreation activities;

(VII) persons with special experience and competence in addressing problems related to school violence and vandalism and alternatives to suspension and expulsion;

(VIII) persons, licensed or certified by the applicable State, with expertise and competence in preventing and addressing mental health and substance abuse needs in delinquent youth and youth at risk of delinquency;

(IX) representatives of victim or witness advocacy groups, including at least one individual with expertise in addressing the challenges of sexual abuse and exploitation and trauma, particularly the needs of youth who experience disproportionate levels of sexual abuse, exploitation, and trauma before entering the juvenile justice system; and

(X) for a State in which one or more Indian Tribes are located, an Indian tribal representative (if such representative is available) or other individual with significant expertise in tribal law enforcement and juvenile justice in Indian tribal communities;

(iii) a majority of which members (including the chairperson) shall not be full-