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FISCAL IMPACT STATEMENT

LS 6687

BILL NUMBER: SB 522

NOTE PREPARED: Feb 12, 2015

BILL AMENDED: Feb 12, 2015

SUBJECT: Serious Sex Offenders.

FIRST AUTHOR: Sen. Mrvan

FIRST SPONSOR:

BILL STATUS: CR Adopted - 1st House

FUNDS AFFECTED: **GENERAL**
 DEDICATED
 FEDERAL

IMPACT: State & Local

Summary of Legislation: (Amended) This bill has the following provisions:

- A. *"Serious Sex Offender"* – It defines "serious sex offender". It makes entry on school property by a serious sex offender a Level 6 felony. It provides that a serious sex offender is entitled to vote by mail.
- B. *Department of Correction* – It requires the Department of Correction (DOC) to inform a serious sex offender at the time of discharge from the DOC: (1) that a serious sex offender who knowingly or intentionally enters school property commits unlawful entry by a serious sex offender, a Level 6 felony; and (2) of voting options for the serious sex offender.

Effective Date: July 1, 2015.

Explanation of State Expenditures: *New Crime* - The bill makes entry on school property by a serious sex offender a Level 6 felony.

A Level 6 felony is punishable by a prison term ranging from 6 months to 30 months or reduction to Class A misdemeanor, depending upon mitigating and aggravating circumstances. The advisory sentence is one year. Level 6 offenders can receive good time credit of 50%. Consequently, Level 6 offenders can be released from prison after serving one half of the sentence.

The average expenditure to house an adult offender was \$19,497 in FY 2014. (This does not include the cost of new construction.) If offenders can be housed in existing facilities with no additional staff, the marginal

cost for medical care, food, and clothing is approximately \$3,210 annually, or \$8.77 daily, per prisoner.

Department of Correction - DOC currently provides sex offenders with instructions about their responsibilities when they are released. Therefore, the bill's provisions requiring DOC to inform serious sex offenders of the penalty for entering a school and their voting options should be able to be implemented within the DOC's current level of resources.

Explanation of State Revenues: *New Crime* - If additional court cases occur and fines are collected, revenue to both the Common School Fund (from criminal fines) and the state General Fund (from court fees) would increase. The maximum fine for a Level 6 felony is \$10,000. However, any additional revenue would likely be small.

Explanation of Local Expenditures: (Revised) If more defendants are detained in county jails prior to their court hearings, local expenditures for jail operations may increase. The average cost per day is approximately \$44.

Explanation of Local Revenues: If additional court actions occur and a guilty verdict is entered, local governments would receive revenue from court fees, which are deposited in various funds. However, the amounts would likely be small.

State Agencies Affected: Department of Correction.

Local Agencies Affected: Trial courts, local law enforcement agencies.

Information Sources: Department of Correction.

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