

**Department of State Police
2001 Fiscal Impact Statement**

1. Bill Number HB1953

House of Origin ☐ Introduced ☐ Substitute ☐ Engrossed

Second House ☐ In Committee ☐ Substitute ☒ Enrolled

2. Patron _____ Cox _____

3. Committee Militia and Police

4. Title Registration as a sexually violent offender

5. Summary/Purpose:

Requires the State Police to furnish an affidavit to the jurisdiction prosecuting a person for the failure to comply with the duty to register or reregister as a sexually violent offender. Such affidavit shall be admitted in court as proof of the failure to register or reregister, and will therefore alleviate the need for the custodian of the records at the State Police to travel to the various courts across the Commonwealth to testify as to the record. A copy of such affidavit shall be provided to the registrant or his counsel seven days prior to the hearing by the Attorney for the Commonwealth.

6. No Fiscal Impact

7. Budget amendment necessary: No.

8. Fiscal implications: Although the Department of State Police currently forwards an affidavit to the jurisdictions in which sex offenders are being tried for failure to register or reregister pursuant to the provisions of § 19.2-298.1, the custodian of the Sex Offender records must testify as to the record. This amendment would eliminate this practice and require that the affidavit currently being provided to the courts be accepted as prima facie evidence of the defendant's failure to register or reregister with the Sex Offender and Crimes Against Minors Registry. While it is difficult to quantify the actual amount of dollars that would be saved as the result of this bill, the acceptance by the courts of an affidavit instead of having the Registry custodian actually testify would eliminate an unnecessary expense while improving the operational effectiveness of the State Police. Approximately 2300 cases of this type are prosecuted annually throughout the Commonwealth. This bill would eliminate the necessity of the custodian of the sex offender records having to testify in these cases in court located throughout the Commonwealth.

9. Specific agency or political subdivisions affected: Department of State Police

10. Technical amendment necessary: No

11. Other comments: None

Date: 03/01/01/JSC

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cc: Secretary of Public Safety