

Department of Planning and Budget 2008 Fiscal Impact Statement

1. Bill Number: SB590

House of Origin X Introduced Substitute Engrossed
Second House In Committee Substitute Enrolled

2. Patron: Howell

3. Committee: Courts of Justice

4. Title: Sex offenders; registration; penalty.

5. Summary: Makes various amendments addressing the Sex Offender and Crimes Against Minors Registry including what crimes require registration, the effect of a failure to register or reregister, the effect of providing false information or failing to provide registration information, and the procedures to petition for removal of a name from the Registry to ensure that Virginia law complies with the federal Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. § 16901 et seq.).

6. Fiscal Impact Estimates: PRELIMINARY.

6a. Expenditure Impact:

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Positions</i>	<i>Fund</i>
2008			
2009	\$12,497,267	99.0	General Fund
2010	\$8,887,362	99.0	General Fund
2011	\$8,887,362	99.0	General Fund
2012	\$8,887,362	99.0	General Fund
2013	\$8,887,362	99.0	General Fund
2014	\$8,887,362	99.0	General Fund

7. Budget Amendment Necessary: Yes. Items

8. Fiscal Implications: According to the Department of State Police, the proposed legislation would increase the number of offenders by approximately 8,000 due to including §18.2-67.4 (first offense). Re-registration of offenders convicted of carnal knowledge will increase due to the reclassification from a sexual offense to a violent offense (by about 1,911 offenders). This bill also requires quarterly address verification by troopers for sexually violent offenders. Currently, troopers conduct 10,368 bi-annual address verifications. The department states this proposal would increase address verifications by 29,033 per year. The department estimates that additional sworn personnel (88), support staff (11) and equipment/support funding are required to address the increased workload associated with this legislation.

According to the Department of Corrections, the impact on their Probation and Parole Division should be minimal and are expecting to absorb any costs incurred.

According to the Virginia Criminal Sentencing Commission, the impact on state beds (Corrections) from this legislation is estimated at 13 beds by FY2014. Pursuant to § 30-19.1:4, the estimated amount of the necessary appropriation is at least \$351,376. Regarding local beds (local and regional jails), the impact is estimated to be a net decrease of three beds by FY2014 (savings of \$35,851). Although data is not available to estimate the proposal's impact on local or state community corrections resources, changing a crime from a Class 1 misdemeanor to a Class 6 felony could decrease the demand for local community-based probation services and increase the need for state community corrections resources. Also, the proposal could result in additional commitments to the Department of Juvenile Justice due to additional commitments, but the size of the impact cannot be quantified. The Department of Juvenile Justice reports that the impact on the bed space needs of juvenile detention facilities cannot be determined.

9. Specific Agency or Political Subdivisions Affected: Local and regional jails, Compensation Board, Departments of State Police, Corrections and Juvenile Justice

10. Technical Amendment Necessary: No.

11. Other Comments: None.

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