

## Department of Planning and Budget 2015 Fiscal Impact Statement

**1. Bill Number:** SB1074ES1

**House of Origin**    ☐ Introduced    ☒ Substitute    ☒ Engrossed  
**Second House**    ☐ In Committee    ☐ Substitute    ☐ Enrolled

**2. Patron:** McDougale

**3. Committee:** Courts of Justice

**4. Title:** Supplement to the Sex Offender and Crimes Against Minors Registry.

**5. Summary:** The engrossed substitute bill includes the amendment that provides that the bill shall not become effective unless an appropriation effectuating the purposes of the bill is included in a general appropriation act passed in 2015 by the General Assembly that becomes law.

The substitute proposal requires the Superintendent of State Police to establish a Supplement to the Sex Offender and Crimes Against Minors Registry that would include information on persons who were convicted of certain sexual offenses on or after July 1, 1980, and before July 1, 1994, that would include the names of persons who have committed offenses that would require registration if the offense occurred today, but who are not otherwise required to register. The supplement will include the person's name, the date of the conviction, the jurisdiction in which the conviction occurred, as well as the person's age on the date of the conviction, the offense of which he was convicted, and the Code of Virginia section of the conviction. The Superintendent of State Police shall complete the Supplement prior to January 1, 2016, and the supplement is to be available to the public on the State Police website. The proposal also provides that the persons whose names and conviction information appear on the Supplement are not subject to the registration requirements of the Code of Virginia Chapter 9 of Title 9.1, and are not considered persons for whom registration is required unless they are required to register pursuant to other provisions of that chapter. The bill also provides that the person whose name and conviction appear on the Supplement may petition the circuit court to have his name and conviction information removed from the Supplement.

**6. Budget Amendment Necessary:** Yes. Item 413.

**7. Fiscal Impact Estimates:** Preliminary. See Items 7a and 8.

**7a. Expenditure Impact:**

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Positions</i>	<i>Fund</i>
2016	\$23,040	0	GF
2017	\$1,000	0	GF
2018	\$1,000	0	GF
2019	\$1,000	0	GF

2020	\$1,000	0	GF
2021	\$1,000	0	GF

**8. Fiscal Implications:** This legislation would require the Department of State Police (Department) to establish and maintain a Supplement to the Sex Offender and Crimes against Minors Registry (SOR).

According to the Department, the provisions of this bill create a fiscal impact because there will be a cost to develop the Supplement. The establishment of the SOR Supplement would require modification of the SOR website to accept a database of information on sex offenders who were convicted of certain sexual offenses on or after July 1, 1980, and before July 1, 1994. Additionally, to establish the Supplement, the Department would be required to conduct an extensive research vetting the subjects on the newly created list. According to the Department, the one-time cost associated with the setting up the SOR Supplement is \$23,040, and there will be ongoing annual maintenance cost of \$1,000. According to the Department, any change to the proposal provisions may require a new cost review.

**9. Specific Agency or Political Subdivisions Affected:** Department of State Police, Commonwealth Attorneys, courts.

**10. Technical Amendment Necessary:** No.

**11. Other Comments:** Similar to HB1353, yet this proposal provides a specific time period for the information to be included on the SOR Supplement to include persons convicted of certain sexual offenses on or after July 1, 1980, and before July 1, 1994.

**Date:** 1/30/2015-SB1074S1.docx (LAJ)