

## **Department of Planning and Budget**

### **2019 Fiscal Impact Statement**

**1. Bill Number:** HB2089H1

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

**2. Patron:** Watts

**3. Committee:** Courts of Justice

**4. Title:** Sex Offender and Crimes Against Minors Registry reregistration schedule.

**5. Summary:** This proposal makes several changes to Code sections concerning reregistration on the Sex Offender and Crimes Against Minors Registry. First, anyone required to report to the Registry, other than individuals convicted of a sexually violent offense or murder, would be required to register once a year during their birth month; the current law requires reregistration every year on an annual basis from the date of initial registration. Individuals with a sexually violent offense or murder conviction would be required to reregister four times each year at three-month intervals, including the person's birth month.

Individuals convicted of a violation under § 18.2-472.1 (providing false information or failing to provide registration information) who do not have a previous sexually violent offense or murder conviction would be required to register twice each year, once in the person's birth month and once in the month that is six months from their birth month. Those convicted of a violation under § 18.2-472.1 who have also been convicted of a sexually violent offense or murder would be required to reregister once per month. The bill requires persons with a last name beginning with A through L to register between the first to the fifteenth of each required reregistration months and persons with last names beginning with M through Z to reregister between the sixteenth to the last day of the month of their reregistration months.

Individuals who must report to the Registry and are subject to biannual photograph requirements must do so during such person's required reregistration month and time interval, commencing with the date of initial registration. Copies of all forms to be used for reregistration, and the guidelines for submitting such forms, including month and time reregistration intervals, shall be available through distribution by the Department of State Police (VSP) and from local law enforcement agencies, in a format capable of being downloaded and printed from a website maintained by VSP.

The bill provides that for the period of July 1, 2020, to July 1, 2021, any person required to reregister shall continue to do so according to such person's reregistration schedule in place prior to July 1, 2020, until such person has reregistered pursuant to the new reregistration schedule provided in this section, at which time such person shall continue to reregister pursuant to the new reregistration schedule.

The bill requires VSP to inform every registrant in person of the new registration and reregistration system, and to provide the person with a written description of the requirements for compliance with the act, including the new reregistration schedule. It also requires that, no later than July 1, 2020, VSP shall maintain a website with access to the written description of the requirements for compliance with these provisions, including the new month and time registration and reregistration schedule mandated by the bill, and any forms and guidelines required under the Sex Offender and Crimes Against Minors Registry Act, in a format capable of being downloaded and printed. It also requires that the provisions of this act shall become effective on July 1, 2020.

**6. Budget Amendment Necessary:** No.

**7. Fiscal Impact Estimates:** Preliminary. See Item 8.

**8. Fiscal Implications:** The Department of State Police (VSP) is responsible for ensuring that registrants on the Sex Offender and Crimes Against Minors Registry comply with the requirements of the Registry. This includes notifying registrants of the need to renew, processing and tracking responses, and investigating potential violations.

According to VSP, there is no expected fiscal impact on its operations as a result of the provisions of this proposed legislation. VSP is in the process of implementing a new Sex Offender Registry tracking system. The new system will be fully operational by FY 2021, when the provisions of this bill become effective. According to VSP, the new system can be programmed to accommodate the requirements of this proposed legislation with no material fiscal impact on the agency.

Any potential fiscal impact on local law enforcement agencies is unknown at this time.

**9. Specific Agency or Political Subdivisions Affected:** Department of State Police, Local law enforcement agencies.

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

**11. Other Comments:** None.