

Department of Planning and Budget

2019 Fiscal Impact Statement

1. Bill Number: SB1418

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

2. Patron: Mason

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 every three months, beginning in their 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 every six months, beginning with the month of their birth. Current law requires reregistration every 180 days from the date of such conviction. 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.

Individuals who must report to the registry and are subject to biannual photograph requirements must do so during their birth month of the eligible year, according to the provisions of this bill. Additionally, this bill requires persons with a last name beginning with A through L to register between the first to the fifteenth of each required reporting month and persons with last names beginning with M through Z to register between the sixteenth to the last day of the month.

6. Budget Amendment Necessary: Yes. Item 420.

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, this bill would require programmatic changes to the systems currently used to track registrations, and to trigger possible violators. The bill would require a vendor to make modifications to VSP's Openfox database, which captures all of the information VSP needs to monitor registrants. It is currently programmed to calculate re-registration dates based on the initial registration date. Openfox would have to be modified to calculate the registration date based on the new re-registration schedule outlined in the bill. VSP estimates it will cost \$75,000 (one-time) to modify the Openfox database. Additionally, modifications will be needed for VSP's internal database, the Sex Offender Verification (SOV) system. This is the system that notifies troopers and probation officers when registrants' verifications are due. The two databases "communicate" with each other, so when one is updated, the other needs to be updated as well. According to VSP, it will cost approximately \$25,000 (one-time cost) to make the appropriate programmatic changes to the SOV database.

Additionally, VSP would incur a cost to conduct outreach to each registrant to ensure they are aware of their new responsibilities under the new legislation. VSP estimates it will incur a \$20,197 one-time cost to notify all registrants of the changes by mail.

9. Specific Agency or Political Subdivisions Affected: Department of State Police

10. Technical Amendment Necessary: No.

11. Other Comments: This bill is a companion to HB2089.