

Department of Planning and Budget

2020 Fiscal Impact Statement

1. Bill Number: HB752 H1

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

2. Patron: Jones

3. Committee: Courts of Justice

4. Title: Postrelease incarceration of felons sentenced for certain offenses.

5. Summary: Under current law, offenders who are convicted of knowingly failing to register or reregister with, or knowingly providing materially false information to, the Sex Offender and Crimes Against Minors Registry are subject to added terms of postrelease supervision by the Department of Corrections. This bill amends the phrase “postrelease supervision by the Department of Corrections” to “postrelease incarceration.”

The substitute version of this bill requires the court, for any felony offense committed on or after July 1, 2000, except in cases in which the court orders a suspended term of confinement of at least six months, to impose an additional term of incarceration of not less than six months nor more than three years, which must be suspended conditioned upon successful completion of a period of post-release supervision and compliance with such other terms as the sentencing court may require. Such additional term may only be imposed when the sentence includes an active term of incarceration in a correctional facility.

The substitute version of this bill also requires, in addition to any other punishment imposed if such other punishment includes an active term of incarceration in a state or local correctional facility, except in cases in which the court orders a suspended term of confinement of at least six months, that the court impose a term of incarceration, in addition to the active term, of not less than six months nor more than three years, as the court may determine. The bill requires that such additional term be suspended and the defendant must be ordered to be placed under postrelease supervision upon release from the active term of incarceration.

6. Budget Amendment Necessary: No

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

8. Fiscal Implications: According to the Department of Corrections, this bill is not expected to have a fiscal impact on agency operations. The bill, as amended, is expected to have a minimal impact on local correctional facilities.

9. Specific Agency or Political Subdivisions Affected: Department of Corrections, local and regional jails, courts

10. Technical Amendment Necessary: None

11. Other Comments: This bill is a recommendation of the Judicial Council.