

Fiscal Estimate - 2011 Session

Original
 Updated
 Corrected
 Supplemental

LRB Number 11-0405/1	Introduction Number AB-0239
Description Notification requirements for persons who must register as sex offenders and who are on school premises and providing penalties	
Fiscal Effect	
State: <input type="checkbox"/> No State Fiscal Effect <input checked="" type="checkbox"/> Indeterminate <input type="checkbox"/> Increase Existing Appropriations <input type="checkbox"/> Increase Existing Revenues <input checked="" type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget <input type="checkbox"/> Decrease Existing Appropriations <input type="checkbox"/> Decrease Existing Revenues <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Create New Appropriations <input type="checkbox"/> Decrease Costs	
Local: <input type="checkbox"/> No Local Government Costs <input checked="" type="checkbox"/> Indeterminate 1. <input checked="" type="checkbox"/> Increase Costs 3. <input type="checkbox"/> Increase Revenue 5. Types of Local Government Units Affected <input checked="" type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Towns <input type="checkbox"/> Village <input type="checkbox"/> Cities 2. <input type="checkbox"/> Decrease Costs 4. <input type="checkbox"/> Decrease Revenue <input type="checkbox"/> Counties <input type="checkbox"/> Others <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input checked="" type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts	
Fund Sources Affected Affected Ch. 20 Appropriations <input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS	
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Date 9/19/2011	

Fiscal Estimate Narratives

DPI 9/19/2011

LRB Number	11-0405/1	Introduction Number	AB-0239	Estimate Type	Original
Description Notification requirements for persons who must register as sex offenders and who are on school premises and providing penalties					

Assumptions Used in Arriving at Fiscal Estimate

Under current law, subject to certain exceptions, a person must register with the Department of Corrections (DOC) as a sex offender if he or she has been convicted of certain offenses, found not guilty of certain sex offenses by reason of mental disease or defect, or adjudicated delinquent on the basis of certain sex offenses. The sex offender registry contains specific information about a person required to register (registrant), such as the registrant's name, appearance, offense, address, and place of employment and any school in which the registrant is enrolled. A registrant must also periodically provide updated information to DOC if the information originally provided to the registry changes.

This bill generally prohibits a registrant from being in any school building, on any school grounds, school recreation area, or school athletic field, or on any school property owned, used, or operated for school administration unless the registrant notifies the school.

Because this bill creates a new crime or revises a penalty for an existing crime, the Joint Review Committee on Criminal Penalties may be requested to prepare a report concerning the proposed penalty and the costs or savings that are likely to result if the bill is enacted.

This bill requires DOC to make a reasonable attempt to notify each person required to comply with the reporting requirements. However, neither the DOC's failure to make such an attempt or DOC's failure to notify a person of that prohibition is a defense to prosecution.

State Fiscal Effect:

The state fiscal effect is indeterminate. There may be some costs related to Department of Public Instruction staff answering questions related to the bill, but these would be absorbed by the department.

Local Fiscal Effect:

The local fiscal effect is indeterminate. The bill may have a slight fiscal impact on school districts. School personnel that need to take calls from or have discussions with the sex offender registrants about visiting the school or attending events on school properties will be taken away from other tasks. Since it is expected to be a minor project, school districts would likely be able to absorb this cost. The bill could also result in litigation between the school district and the sex offender registrant. If the offender claims he/she is not in violation of the rules because he/she is enroute to the school office to provide notification of being on the premises, the burden of proof is with him/her. Districts will, nevertheless, incur the costs related to litigation.

Long-Range Fiscal Implications