

Fiscal Estimate Narratives

DOC 3/6/2003

LRB Number	03-1284/1	Introduction Number	SB-52	Estimate Type	Original
Subject					
Penalties for violating sex offender registry reporting requirements					

Assumptions Used in Arriving at Fiscal Estimate

Under current law, a sex offender failing to register with the Department of Corrections may be imprisoned for up to nine months and fined up to \$10,000 for the first failure to comply. If the offender fails to comply a second time, the offender may be imprisoned for up to six years as well as fined up to \$10,000. This bill increases the the maximum term of imprisonment for a first offense to three and one-half years.

Current law also prohibits a sex offender required to register who is on parole or extended supervision from establishing a residence or moving unless the offender has complied with registration requirements. Offenders who violate this prohibition can currently be fined not more than \$10,000 or imprisoned not more than nine months or both. This bill increases the maximum imprisonment time to not more than three and one-half years.

There are many interventions that can be used with probationers/parolees to obtain compliance with the sex offender registry. For cases that are no longer being supervised by DOC, the main enforcement mechanism for someone refusing to comply is certification of the case to the district attorney's office for possible prosecution. Approximately 10 cases a month are certified to the D.A's office for non-compliance with the sex offender registry.

It is difficult to estimate the number of convictions that will occur under this legislation or the eventual court disposition. The average FY02 cost to incarcerate a person in a state prison is approximately \$26,000 and \$1900 to place an offender on probation.

If some offenders are sentenced to a state prison instead of a county jail, costs will decrease for the counties.

Long-Range Fiscal Implications