

Fiscal Estimate - 2015 Session

Original
 Updated
 Corrected
 Supplemental

LRB Number 15-2174/1	Introduction Number AB-0258
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Description
 Removal of certain criminal record information from Internet sites without a fee and providing a criminal penalty

Fiscal Effect

State:

- No State Fiscal Effect
- Indeterminate
 - Increase Existing Appropriations
 - Decrease Existing Appropriations
 - Create New Appropriations
 - Increase Existing Revenues
 - Decrease Existing Revenues
 - Increase Costs - May be possible to absorb within agency's budget
 - Yes
 - No
 - Decrease Costs

Local:

- No Local Government Costs
- Indeterminate
 - 1. Increase Costs 3. Increase Revenue
 - Permissive Mandatory Permissive Mandatory
 - 2. Decrease Costs 4. Decrease Revenue
 - Permissive Mandatory Permissive Mandatory
- 5. Types of Local Government Units Affected
 - Towns Village Cities
 - Counties Others
 - School Districts WTCS Districts

Fund Sources Affected

Affected Ch. 20 Appropriations

GPR
 FED
 PRO
 PRS
 SEG
 SEGS

Agency/Prepared By

Authorized Signature

Date

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6/12/2015

Fiscal Estimate Narratives

DA 6/12/2015

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Description Removal of certain criminal record information from Internet sites without a fee and providing a criminal penalty					

Assumptions Used in Arriving at Fiscal Estimate

Under this bill, the operator of an internet site that publishes criminal record information must remove the information within 15 days of receipt of a written request for removal that shows that no criminal charge was brought; the criminal charge was resolved through dismissal, acquittal, or otherwise without a conviction; the charge was reduced to a civil penalty; or, the conviction was expunged. Failure to remove the internet record may result in a fine and/or imprisonment.

Should this bill be enacted, prosecutors believe their workload will be impacted because their offices receive a number of petitions to expunge criminal records. They expect their offices will receive a number of requests to have individuals' records removed from CCAP as a result of this legislation. Such requests will require prosecutors to research old, closed cases to determine if there is a legal basis for such a request. The prosecutors will then need to appear in court to explain why there is or is not a legal basis for the request.

Because it is uncertain how many requests will be submitted to District Attorney offices, a fiscal estimate is indeterminate.

Long-Range Fiscal Implications

For the reasons stated above, a long-term fiscal impact is indeterminate.