



LEGISLATIVE FISCAL OFFICE
Fiscal Note

Fiscal Note On: **SB 217** SLS 23RS 399
 Bill Text Version: **ENROLLED**
 Opp. Chamb. Action:
 Proposed Amd.:
 Sub. Bill For.:

Date: June 12, 2023 6:45 AM **Author:** HENRY, CAMERON
Dept./Agy.: Public Safety, State Police and Local Law Enforcement
Subject: Child Abuse and Neglect Registry **Analyst:** Patrice Thomas

CRIME/PUNISHMENT EN +\$490,135 GF EX See Note Page 1 of 2
 Creates a state wide database for individuals convicted of child abuse/neglect. (7/1/24)

Proposed law creates the Child Abuse and Neglect Registry and may require persons convicted of felony offenses where the victim is a child to register with local law enforcement agencies (excludes existing Registered Sex Offender registrants). Proposed law requires the LA Bureau of Criminal Identification and Information within the LA State Police to develop and maintain the registry and a public website. Proposed law requires in-person verification by the offender within three business days after release and at certain registration periods. Proposed law exempts certain information from public view on the website. Proposed law requires the website to have certain disclosures and allows social networking sites to access registry information for comparison purposes. Proposed law requires offenders with a 1st offense to register for ten years and offenders with 2nd and subject offenses to register for life. Proposed law effective 7/01/2024.

EXPENDITURES	<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>	<u>2026-27</u>	<u>2027-28</u>	<u>5 -YEAR TOTAL</u>
State Gen. Fd.	\$0	\$490,135	\$491,387	\$500,575	\$510,039	\$1,992,136
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	<u>\$0</u>	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	<u>\$0</u>
Annual Total	\$0					\$0

REVENUES	<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>	<u>2026-27</u>	<u>2027-28</u>	<u>5 -YEAR TOTAL</u>
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	<u>\$0</u>	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	<u>\$0</u>
Annual Total	\$0					\$0

EXPENDITURE EXPLANATION

Proposed law is anticipated to increase SGF expenditures by \$490,135 within the Department of Public Safety and Corrections, Public Safety Service (DPS), Office of State Police beginning in FY 25 and subsequent fiscal years reflecting an anticipated increase in personal services associated with market rate adjustments; and proposed law may result in an indeterminable increase in SGF expenditures in the Department of Public Safety and Corrections – Corrections Services (DPSC – CS) if a person is convicted of providing false information. The proposed law creates the Child Abuse and Neglect Registry and may require persons convicted of child abuse or neglect to register with local law enforcement agencies.

Department of Public Safety and Corrections, Correction Services - Proposed law provides that any person convicted of child abuse or neglect that provides false information to law enforcement agencies when registering shall be fined not more than \$1,000 and imprisoned for not more than one (1) year. Any person imprisoned in the custody of the Department of Corrections increases SGF expenditures \$101.76 per offender per day to the extent that an offender is convicted and then subsequently housed in a state facility or \$26.39 per offender per day for a state offender housed in a local facility. An offender sentenced to the custody of the DPSC – CS for one year would increase expenditures by \$37,142.40 (\$101.76 per day x 365 days) if housed in a state facility and \$9,632.35 (\$26.39 per day x 365 days) if housed in a local facility.

Department of Public Safety and Correction, Public Safety Services, State Police - The proposed law requires the LA Bureau of Criminal Identification and Information within State Police to develop and maintain the statewide registry and a public website. DPS reports needing five (5) additional staff within the Office of State Police to perform the duties and responsibilities related to the Child Abuse and Neglect Registry. The anticipated staffing and technology need is based upon State Police experience maintaining the State Sex Offender and Child Predator Registry website.

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REVENUE EXPLANATION

Proposed law provides for a fine of up to \$1,000 or imprisonment for up to one (1) year if a person is convicted of providing false information to law enforcement agencies when registering for the Child Abuse and Neglect Registry. The number of individuals that may be convicted of not disclosing is speculative and indeterminable. The potential revenue will accrue to the local government entities.

Senate Dual Referral Rules
 13.5.1 >= \$100,000 Annual Fiscal Cost {S & H}
 13.5.2 >= \$500,000 Annual Tax or Fee Change {S & H}

House
 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}
 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

Evan Brasseaux

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 Interim Deputy Fiscal Officer



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CONTINUED EXPLANATION from page one:

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EXPENDITURE EXPLANATION Continued from Page 1

The staffing estimate includes salaries and related benefits for five Criminal Records Analyst positions including overtime (\$368,385). Other recurring costs include office supplies (\$1,500), automotive maintenance (\$1,500), professional services contract to develop and maintain the new database (\$100,000), and IAT to Office of Technology Services (OTS) for telephone, computer equipment, and storage (\$18,750). In subsequent fiscal years, the fiscal note presumes a 3% increase in salaries for market rate adjustments and related benefits as the LFO presumes positions will be classified.

**DPS Projected Operating Budget Impact
Expenditures**

Positions	FY 2025	FY 2026	FY 2027	FY 2028
Criminal Records Analyst 3 (3 positions)	\$115,254	\$118,712	\$122,273	\$125,941
Criminal Records Analyst 4	\$43,992	\$45,312	\$46,671	\$48,071
Criminal Records Analyst 5	\$50,378	\$51,889	\$53,446	\$55,049
Overtime	<u>\$7,559</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Salaries	\$217,183	\$215,913	\$222,390	\$229,062
Related Benefits	<u>\$151,202</u>	<u>\$153,724</u>	<u>\$156,435</u>	<u>\$159,227</u>
Personal Services Sub-total	<u>\$368,385</u>	<u>\$369,637</u>	<u>\$378,825</u>	<u>\$388,289</u>
Operating Services	\$1,500	\$1,500	\$1,500	\$1,500
Supplies	\$1,500	\$1,500	\$1,500	\$1,500
Professional Services	\$100,000	\$100,000	\$100,000	\$100,000
IAT	<u>\$18,750</u>	<u>\$18,750</u>	<u>\$18,750</u>	<u>\$18,750</u>
Total Expenditures	<u>\$490,135</u>	<u>\$491,387</u>	<u>\$500,575</u>	<u>\$510,039</u>

Note: In subsequent fiscal years, the fiscal note presumes a 3% increase in salaries and related benefits.

Local Sheriff's Offices and Municipal Police Departments - The proposed law requires any person convicted of certain felony offenses involving a victim who is a minor must register with their local sheriff's office or chief of police. The expenditure impact of inputting this information into the registry will vary by sheriff's offices and police departments and depend on the number of convicted persons living in that parish or municipality. Although the proposed law is silent on whether sheriff's offices and municipal police departments may assess annual registration fees, the Legislative Fiscal Office (LFO) presumes that local law enforcement will assess some amount of fee to defray the costs of maintaining a register similar to the \$60 annual registration fee assessed for the Sex Offender and Child Predator Registry. However, the LFO has not received confirmation from any sheriff's office or police department that a registration fee will be assessed.

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 13.5.2 >= \$500,000 Annual Tax or Fee Change {S & H}

House
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