

2016 Regular Session

HOUSE BILL NO. 540

BY REPRESENTATIVE HENRY

SEX OFFENSE/REGISTRY: Provides with respect to the distribution of monies in the Sex Offender Registry Technology Fund

1 AN ACT

2 To amend and reenact Code of Criminal Procedure Article 895.1(F)(3)(d) and (e) and to
3 enact Code of Criminal Procedure Article 895.1(F)(3)(f), relative to probation
4 supervision fees; to provide relative to the use of monies credited to the Sex Offender
5 Registry Technology Fund; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. Code of Criminal Procedure Articles 895.1(F)(3)(d) and (e) are hereby
8 amended and reenacted and Code of Criminal Procedure Article 895.1(F)(3)(f) is hereby
9 enacted to read as follows:

10 Art. 895.1. Probation; restitution; judgment for restitution; fees; Sex Offender
11 Registry Technology Fund

12 * * *

13 F. When the court places the defendant on supervised probation, it shall
14 order as a condition of probation the payment of a monthly fee of eleven dollars.
15 The monthly fee established in this Paragraph shall be in addition to the fee
16 established in Paragraph C of this Article and shall be collected by the Department
17 of Public Safety and Corrections and shall be transmitted, deposited, appropriated,
18 and used in accordance with the following provisions:

19 * * *

1 (3) The monies in the Sex Offender Registry Technology Fund shall be
2 appropriated as follows:

3 * * *

4 (d) For Fiscal Year 2014-2015, ~~and thereafter~~, and Fiscal Year 2015-2016,
5 residual monies available for appropriation after satisfying the requirements of
6 Subsubparagraphs (a) and (b) of this Subparagraph shall be appropriated to the
7 Department of Justice, office of the attorney general. Of that residual amount, two
8 hundred and fifty thousand dollars shall be allocated to the office of the attorney
9 general of which one hundred and fifty thousand dollars shall be allocated for
10 personnel and other costs to assist and monitor sheriff participation in utilization of
11 the computer system and the administration of the sex offender and child predator
12 registration and notification laws as set forth in R.S. 15:540 et seq., and one hundred
13 thousand dollars of which shall be allocated to the cost of maintenance of the
14 computer system of the sheriffs of the parishes for registration of sex offenders and
15 child predators.

16 (e) For Fiscal Year 2016-2017, and thereafter, residual monies available for
17 appropriation after satisfying the requirements of Subsubparagraphs (a) and (b) of
18 this Subparagraph shall be appropriated to the Department of Justice, office of the
19 attorney general. Of that residual amount, four hundred thousand dollars shall be
20 allocated to the office of the attorney general of which one hundred and fifty
21 thousand dollars shall be allocated for personnel and other costs to assist and monitor
22 sheriff participation in utilization of the computer system and the administration of
23 the sex offender and child predator registration and notification laws as set forth in
24 R.S. 15:540 et seq., and one hundred fifty thousand dollars of which shall be
25 allocated to the cost of maintenance of the computer system of the sheriffs of the
26 parishes for registration of sex offenders and child predators and one hundred
27 thousand dollars shall be allocated to the cost of a sex offender education fund for
28 school children to be implemented in cooperation with the sheriffs or other law

1 enforcement entities of the parishes responsible for registration of sex offenders and
2 child predators.

3 (f) After providing for the allocations in Subsubparagraphs (a), (b), (c), and
4 (d) of this Subparagraph, the remainder of the residual monies in the Sex Offender
5 Registry Technology Fund shall, pursuant to an appropriation to the office of the
6 attorney general, be distributed to the sheriff or other law enforcement agency
7 primarily responsible for registering sex offenders of each parish, based on the
8 population of convicted sex offenders, sexually violent predators, and child predators
9 who are residing in the parish and who are active sex offender registrants or active
10 child predator registrants in the respective parishes according to the State Sex
11 Offender and Child Predator Registry. These funds shall be used to cover the costs
12 associated with sex offender registration and compliance. Population data necessary
13 to implement the provisions of this Subparagraph shall be as compiled and certified
14 by the undersecretary of the Department of Public Safety and Corrections on the first
15 day of June of each year. No later than June fifteenth of each year, the office of the
16 attorney general shall make these distributions, which are based on the data certified
17 by the undersecretary of the Department of Public Safety and Corrections, to the
18 recipient sheriffs who are actively registering offenders pursuant to this Paragraph.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 540 Original

2016 Regular Session

Henry

Abstract: Provides relative to the use of monies appropriated to the Sex Offender Registry and Technology Fund.

Present law provides that when the court places the defendant on supervised probation, it shall order as a condition of probation the payment of a monthly fee of \$11 which shall be credited to the Sex Offender Registry and Technology Fund and shall be appropriated as follows:

- (1) For Fiscal Year 2014-2015 and thereafter - \$300,000 shall be allocated to the office of the attorney general of which \$150,000 shall be allocated for personnel and other costs to assist and monitor sheriff participation in utilization of the computer system and the administration of the sex offender and child predator registration and notification laws, and \$150,000 of which shall be allocated to the cost of

maintenance of the computer system of the sheriffs of the parishes for registration of sex offenders and child predators.

Proposed law amends present law as follows:

- (1) For Fiscal Year 2016-2017 and thereafter - \$400,000 shall be allocated to the office of the attorney general of which:
 - (a) \$150,000 shall be allocated for personnel and other costs to assist and monitor sheriff participation in utilization of the computer system and the administration of the sex offender and child predator registration and notification laws.
 - (b) \$150,000 of which shall be allocated to the cost of maintenance of the computer system of the sheriffs of the parishes for registration of sex offenders and child predators.
 - (c) \$100,000 shall be allocated to the cost of a sex offender education fund for school children to be implemented in cooperation with the sheriffs or other law enforcement entities of the parishes responsible for registration of sex offenders and child predators.

Proposed law otherwise retains present law.

(Amends C.Cr.P. Art. 895.1(F)(3)(d) and (e); Adds C.Cr.P. Art. 895.1(F)(3)(f))