

LEGISLATIVE FISCAL OFFICE

Fiscal Note



Fiscal Note On: **HB 56** HLS 21RS 170

Bill Text Version: **ORIGINAL**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

Date: April 16, 2021	11:42 AM	Author: BAGLEY
Dept./Agy.: Corrections/Public Safety		Analyst: Rebecca Robinson
Subject: Identifying sex offender through driver's license/ID card		

SEX OFFENSE/REGISTRY

OR SEE FISC NOTE GF EX

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Provides relative to identifying a sex offender through driver's licenses and identification cards

Proposed legislation requires that the driver's license or identification card issued to persons required to register as sex offenders shall contain the classification T1, T2 or T3, rather than the words "sex offender." Removes the requirement that sex offenders renew their driver's license or identification card on an annual basis and allows them to renew their driver's license every 6 years or their identification card every 4 years.

EXPENDITURES	<u>2021-22</u>	<u>2022-23</u>	<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>	<u>5 -YEAR TOTAL</u>
State Gen. Fd.	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
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>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Annual Total						
REVENUES	<u>2021-22</u>	<u>2022-23</u>	<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>	<u>5 -YEAR TOTAL</u>
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	(\$422,459)	(\$422,459)	(\$422,459)	(\$225,863)	(\$1,493,240)
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Annual Total	\$0	(\$422,459)	(\$422,459)	(\$422,459)	(\$225,863)	(\$1,493,240)

EXPENDITURE EXPLANATION

Proposed legislation may create a minimal expenditure impact to the Department of Public Safety (DPS), Office of Motor Vehicles (OMV) associated with coding changes to driver's license system. DPS estimates a one-time SGF cost of \$38,067 to make coding changes. OMV reports that the Office of Technology Services (OTS) would perform this work at an estimated 161 hours of overtime by an IT Management Consultant Developer (161 hours x \$80 per hour = \$12,880 x 1.45% Medicare tax = \$187; Total of \$13,067). The LFO believes that any additional IT work associated with this legislation will be incremental in nature and the department can potentially accomplish these tasks utilizing existing resources and budget authority. To the extent that numerous pieces of legislation are enacted that require additional programming efforts, the department may require additional resources.

There will be a nominal impact to the SGF expenditures of the Department of Public Safety & Corrections - Corrections Services (DPS&C) as a result of the proposed legislation. DPS&C will be required to reprogram the identification card machine with the sex offender tier classifications. DPS&C can accomplish this change utilizing existing resources and budget authority.

For informational purposes, OMV reports beginning in January 2021, the office stopping printing "Sex Offender" on D.L.s and I.D.s due to the Louisiana Supreme Court (LSC) ruling on October 20, 2020, in *State of Louisiana v. Tazin Ardell Hill*. The LSC found that the requirement to have "Sex Offender" printed on an I.D. card to be unconstitutional. The proposed legislation would bring Louisiana statutes concerning sex offender I.D.s and D.L.s into compliance with the LSC ruling.

REVENUE EXPLANATION

There will be a decrease in self-generated revenue to the Department of Public Safety (DPS), Office of Motor Vehicles (OMV) as a result of sex offenders not renewing their driver's license (D.L.) or identification card (I.D.) on an annual basis. Sex offenders will need to renew their D.L. or I.D. one additional time after the passage of this legislation, assumed to occur in FY 22, in order to replace the "Sex Offender" language and to extend their renewal date out 4 (I.D.) or 6 years (D.L.). The proposed legislation will place sex offenders in the same posture as all other D.L. or I.D. holders and will result in a revenue loss of approximately \$422,500 annually to OMV in the gap years between the initial replacement and the renewal in 4 or 6 years. Revenues will decrease in FYs 23 through 25 for I.D. renewals and FYs 23 through 27 for D.L. renewals.

OMV issued Driver's Licenses or Identification Cards with "Sex Offender" printed on them.

FY 19	7,111 D.L.	11,234 I.D.	Total Revenue = \$431,542
FY 20	6,896 D.L.	10,610 I.D.	Total Revenue = \$413,376
Average	7,004 D.L.	10,922 I.D.	Revenue Average = \$422,459

Estimated revenue loss by FY ranges from \$422,459 in FYs 23-25 and FY 27 due to no renewals of FY 21 existing D.L. and I.D., \$225,863 in FY 26 due to no renewals of FY 21 existing D.L., and \$196,596 in FY 28 due to no renewals of FY 21 existing I.D. This estimate assumes the number of registered sex offenders living in LA with a D.L. remains 7,004 and with an I.D. remains 10,922, and that no changes occur to the price of a credential or the renewal period.

Senate

Dual Referral Rules

House

13.5.1 >= \$100,000 Annual Fiscal Cost {S & H}

6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}

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

6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

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