



**LEGISLATIVE FISCAL OFFICE
Fiscal Note**

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

Date: April 28, 2023	2:10 PM	Author: HENRY, CAMERON
Dept./Agy.: Public Safety, State Police and Local Law Enforcement		Analyst: Patrice Thomas
Subject: State Child Abuse and Neglect Registry		

CRIME/PUNISHMENT EG +\$490,135 GF EX See Note Page 1 of 2
 Creates a state wide database for individuals convicted of child abuse/neglect. (8/1/23)

Proposed law creates the Child Abuse and Neglect Registry and requires persons convicted of 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 the offender to register where they work, attend school, and reside as well as conviction, identifying, and other personal information. Under proposed law, the offender must register any change in employment, education, residence, or address within three (3) business days. Proposed law requires in-person verification by the offender 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 creates the crime of failing to register.

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.	\$490,135	\$491,387	\$500,575	\$510,039	\$519,787	\$2,511,923
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>	\$0
Annual Total	\$490,135	\$491,387	\$500,575	\$510,039	\$519,787	\$2,511,923

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	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Annual Total						

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 24 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 requires 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 with hard labor for not less than two years but not more than 10 years without the benefit of parole, probation, or suspension of sentence. Any person imprisoned with hard labor 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.

Continue on Page 2

REVENUE EXPLANATION

Proposed law provides for a fine of up to \$1,000, or imprisonment with hard labor for at least two (2) years and up to 10 years, or both if a person is convicted of providing false information to law enforcement agencies when registering for the LA 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.

<u>Senate</u>	<u>Dual Referral Rules</u>	<u>House</u>
<input checked="" type="checkbox"/> 13.5.1 >= \$100,000 Annual Fiscal Cost {S & H}	<input checked="" type="checkbox"/> 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}	
<input type="checkbox"/> 13.5.2 >= \$500,000 Annual Tax or Fee Change {S & H}	<input type="checkbox"/> 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:

Page 2 of 2

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**

	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028
Positions					
Criminal Records Analyst 3 (3 positions)	\$115,254	\$118,712	\$122,273	\$125,941	\$129,719
Criminal Records Analyst 4	\$43,992	\$45,312	\$46,671	\$48,071	\$49,513
Criminal Records Analyst 5	\$50,378	\$51,889	\$53,446	\$55,049	\$56,701
Overtime	<u>\$7,559</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Salaries	\$217,183	\$215,913	\$222,390	\$229,062	\$235,934
Related Benefits	<u>\$151,202</u>	<u>\$153,724</u>	<u>\$156,435</u>	<u>\$159,227</u>	<u>\$162,103</u>
Personal Services Sub-total	\$368,385	\$369,637	\$378,825	\$388,289	\$398,037
Operating Services	\$1,500	\$1,500	\$1,500	\$1,500	\$1,500
Supplies	\$1,500	\$1,500	\$1,500	\$1,500	\$1,500
Professional Services	\$100,000	\$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>	<u>\$18,750</u>
Total Expenditures	\$490,135	\$491,387	\$500,575	\$510,039	\$519,787

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

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}

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