

Regular Session, 2014

HOUSE BILL NO. 637

BY REPRESENTATIVE CONNICK

SEX OFFENSE/REGISTRY: Provides relative to the use of monies appropriated to the Sex Offender Registry Technology Fund

1 AN ACT

2 To amend and reenact Code of Criminal Procedure Article 895.1(F)(3)(c) and (d) and to
3 enact Code of Criminal Procedure Article 895.1(F)(3)(e), relative to fees paid as a
4 condition of probation; to provide relative to the use of monies credited to the Sex
5 Offender 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 Article 895.1(F)(3)(c) and (d) are hereby
8 amended and reenacted and Code of Criminal Procedure Article 895.1(F)(3)(e) is hereby
9 enacted to read as follows:

10 Art. 895.1. Probation; restitution; judgment for restitution; fees

11 * * *

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

18 * * *

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

3 * * *

4 (c) For Fiscal Year 2010-2011, ~~and thereafter~~ through Fiscal Year 2013-
5 2014, residual monies available for appropriation after satisfying the requirements
6 of 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, one
8 hundred fifty thousand dollars shall be allocated to the office of the attorney general
9 of which fifty thousand dollars shall be allocated for personnel and other costs to
10 assist and monitor sheriff participation in utilization of the computer system, and one
11 hundred thousand dollars of which shall be allocated to the cost of maintenance of
12 the computer system which shall interface with the computer systems of the sheriffs
13 of the parishes for registration of sex offenders and child predators.

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

25 (e) After providing for the allocations in Subsubparagraphs (a), (b), ~~and~~ (c),
26 and (d) of this Subparagraph, the remainder of the residual monies in the Sex
27 Offender Registry Technology Fund shall, pursuant to an appropriation to the office
28 of the attorney general, be distributed to the sheriff of each parish, based on the
29 population of convicted sex offenders, sexually violent predators, and child predators

1 who are residing in the parish and who are active sex offender registrants or active
2 child predator registrants in the respective parishes according to the State Sex
3 Offender and Child Predator Registry. These funds shall be used to cover the costs
4 associated with sex offender registration and compliance. Population data necessary
5 to implement the provisions of this Subparagraph shall be as compiled and certified
6 by the undersecretary of the Department of Public Safety and Corrections on the first
7 day of June of each year. No later than June fifteenth of each year, the office of the
8 attorney general shall make these distributions, which are based on the data certified
9 by the undersecretary of the Department of Public Safety and Corrections, to the
10 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)]

Connick

HB No. 637

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 2010-2011, and thereafter - \$150,000 shall be allocated to the office of the attorney general of which \$50,000 shall be allocated for personnel and other costs to assist and monitor sheriff participation in utilization of the computer system, and \$100,000 of which shall be allocated to the cost of maintenance of the computer system which shall interface with the computer systems of the sheriffs of the parishes for registration of sex offenders.
- (2) Any residual monies in the Sex Offender Registry Technology Fund shall, pursuant to an appropriation to the office of the attorney general, be distributed to the sheriff of each parish, based on the population of convicted and registering sex offenders, sexually violent predators, and child predators residing in the parish to be used to cover the costs associated with sex offender registration and compliance.

Proposed law amends present law as follows:

- (1) For Fiscal Year 2010-2011 through Fiscal year 2013-2014 - \$150,000 shall be allocated to the office of the attorney general of which \$50,000 shall be allocated for personnel and other costs to assist and monitor sheriff participation in utilization of the computer system, and \$100,000 of which shall be allocated to the cost of maintenance of the computer system which shall interface with the computer systems of the sheriffs of the parishes for registration of sex offenders.

- (2) For Fiscal Year 2014 -2015 and thereafter - \$250,000 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 \$100,000 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 otherwise retains present law.

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