

144TH GENERAL ASSEMBLY

FISCAL NOTE

BILL:	SENATE BILL NO. 60
SPONSOR:	Senator Blevins
DESCRIPTION:	AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO REGISTRATION OF SEX OFFENDERS AND COMMUNITY NOTIFICATION OF SEX OFFENDERS ON PROBATION, PAROLE, CONDITIONAL RELEASE OR RELEASE FROM CONFINEMENT.

ASSUMPTIONS:

1. Effective upon enactment.
2. This Act would bring the State of Delaware into conformity with the Adam Walsh Child Protection and Safety Act of 2006. State conformity is required within 3 years; failure to implement will result in a 10 percent reduction to the Byrne law enforcement assistance grants. (A 10 percent loss of FY 2005 is \$206,000).
3. This Act makes numerous changes to our current sex offender laws, including the type of information collected from the offender and the jurisdiction to go into a national database and the registration requirements of the offenders. For instance, Tier III offenders would be required to appear in person every 90 days, Tier II offenders every 6 months, and Tier I offenders annually.
4. Numerous grant are authorized with the Adam Walsh Act, including:
 - a. Sex Offender Management Assistance Grant to help states comply with the law, with bonus payments for substantial implementation within 2 years of the Act;
 - b. Grants for establishing, enhancing or operating civil commitment programs for sexually dangerous people;
 - c. A 3-year grant program at \$5 million each year, for electronic monitoring of sex offenders;
 - d. Sex Offender Apprehension Grants to assist enforcement of sex offender registration requirements;
 - e. Juvenile Sex Offender Treatment Grants to address needs of juvenile sex offenders;
 - f. Grants from the Bureau of Justice Assistance to help with investigation and enforcement. These funds, which would go to law enforcement agencies, could cover personnel, computer hardware and software, fingerprinting for children, and improvement to child Internet safety.

It is impossible to estimate the amount of funding the State of Delaware may receive through these grant opportunities at this point.

5. State Police, Department of Safety and Homeland Security, request additional resources to comply with this Act. Without proper enforcement to back up the increased administrative efforts, this legislation would not be effective. State Police request 4.0 FTEs to comply with implementation. After discussions with the Criminal Justice Council, it is likely that currently funded CJC grants may be used to help with about half of this effort. This fiscal note assumes that the federal funding will provide the equivalent of 2.0 FTEs, and that the remaining 2.0 FTEs would require General Funds.

2.0 FTEs Sex Offender Agents (PG 11, 12 mo funding)	\$79,100
One-Time Costs associated with FTEs	\$20,800
Operating Costs associated with FTEs	\$15,900

6. In addition, it is likely that the State Bureau of Identification, State Police, Department of Safety and Homeland Security, will receive administrative positions through associated grants of the Adam Walsh Act. These positions would most likely be picked up with General Funds when they expire.
7. DELJIS estimates a need of \$30,000 in one-time funds to add data fields, change registration forms, undo the current verification process, rebuild photo interface, build interfaces with DMV, clean up data, and build special reports with new search capabilities. They estimate that this will require 400 hours of contractual work. Though it is possible that there are grant opportunities for this sort of programmatic adjustment, DELJIS activity will need to be performed immediately upon enactment and therefore will need General Funds to comply.
8. Three percent inflation is assumed.

COSTS:

<u>F.Y. 2008</u>	\$145,800	* The enactment of this bill will provide for additional grant opportunities.
<u>F.Y. 2009</u>	\$ 97,900	
<u>F.Y. 2010</u>	\$100,800	

Office of Controller General
 April 04, 2007
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(Amounts are shown in whole dollars)