



151st GENERAL ASSEMBLY
FISCAL NOTE

BILL: SENATE BILL NO. 112
SPONSOR: Senator Brown
DESCRIPTION: AN ACT TO AMEND TITLE 10, TITLE 11, AND TITLE 16 OF THE DELAWARE CODE RELATING TO EXPUNGEMENT.

Assumptions:

1. This Act becomes effective on January 1, 2022, upon signature by the Governor.
2. This Act expands eligibility for mandatory expungement of adult and juvenile cases.
3. This Act would require the Delaware Criminal Justice Information System (DELJIS) to make programming and system modifications to ensure compliance. The DELJIS estimates the following will be required:
 - a. Recurring Costs – \$66,412 in Personnel Costs, including Other Employment Costs (OECs), for 1.0 FTE, Management Analyst III, to conduct testing, auditing, and additional monitoring in assisting the State Bureau of Identification (SBI) with ongoing expungement processing and related data clean-up needs.
 - b. One-Time Costs - \$95,000 for necessary system updates and startup costs associated with the new position.
4. The Family Court (FC) anticipates that this Act will increase the number of juvenile charges that are eligible for mandatory or discretionary expungement. The FC would require two additional Paralegals, one for New Castle County Family Court, the other for Kent and Sussex County to perform the research necessary for determining a petitioner’s eligibility for an expungement, timely docketing, responses to petitions, and other time-sensitive deadlines.
 - a. Recurring Costs – \$118,690 in Personnel Costs, including OECs, for 2.0 FTEs, Paralegal III.
 - b. One-Time Costs – \$10,000 for computer equipment, software, and office furniture startup costs for new positions.
5. All Fiscal Year 2022 personnel costs have been estimated for 10-months of funding with the annualization of the remaining 2-months incorporated into subsequent year estimates. Additionally, a 2% inflation cost has been included for projected increases to salary, health insurance, and OECs. Finally, it is assumed that if other legislation is passed requiring system reprogramming changes and additional FTE positions, that savings and efficiencies could be realized, thereby reducing the costs associated with this Act and other legislation affecting any or all of the agencies mentioned in this projection.

Cost:

| | <u>One-Time</u> | <u>Operating/Recurring</u> |
|--------------------------|------------------------|-----------------------------------|
| Fiscal Year 2022: | \$105,000 | \$185,102 |
| Fiscal Year 2023: | | \$226,564 |
| Fiscal Year 2024: | | \$231,095 |

Prepared by Jason R. Smith
Office of the Controller General