

Department of Legislative Services

Maryland General Assembly

2001 Session

FISCAL NOTE

House Bill 913 (Delegate Barve, *et al.*)

Judiciary

Criminal Procedure - Offender Registry - Juvenile Delinquents

This bill includes an individual who is adjudicated delinquent of a sex offense among the persons who must register as sexual offenders.

Fiscal Summary

State Effect: Minimal increase in general fund expenditures and an equivalent increase in revenues for the Department of Juvenile Justice. Minimal increase in expenditures for the Department of Public Safety and Correctional Services.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: A person who is found guilty of, pleads guilty or nolo contendere to, is granted probation before judgment for, or is found not criminally responsible for a sex offense may be required to register as a “child sexual offender,” an “offender,” a “sexually violent offender,” or a “sexually violent predator.” The registration requirements also apply to individuals convicted of similar offenses in other jurisdictions if they move to, work in, or go to school in the State. A delinquency adjudication does not require a person to register. The Information Technology and Communication Division of the Department of Public Safety and Correctional Services (DPSCS) is the State’s central repository for all sexual offender registrations.

Background: Sexual offenders must register annually for ten years. Child sexual offenders and sexually violent offenders are required to register annually for ten years or for life if convicted of rape or a felony sexual offense or if convicted for a second violation. Sexually violent predators must register every 90 days for life. All offenders and predators must immediately provide any changes of address or employment during these terms.

A designated law enforcement agency in each county must provide notice of child sexual offenders to county superintendents of schools, who must then make appropriate notifications to school principals. Otherwise, such law enforcement agencies or DPSCS are only required to provide information on sexual offender registrations upon written request.

State Fiscal Effect: DPSCS advises that, although the bill does not specify a “supervising authority” that would ensure that juveniles adjudicated of sexual offenses register, the most likely candidate would be the Department of Juvenile Justice (DJJ). DPSCS is required to reimburse supervising authorities for the cost of processing the registration forms, including the cost of taking fingerprints and photographs. DPSCS estimates this cost at \$10 per registrant. Assuming DJJ would be named the supervising authority, DJJ would incur costs for registering juveniles who are adjudicated delinquent of sex offenses, and DPSCS would reimburse DJJ for the costs. *DJJ did not provide data on the number of juveniles who would be required to register annually.* Last year, 500 adult offenders were placed on the registry, bringing the total number of registrants to 1,300.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Judiciary (Administrative Office of the Courts), Department of Public Safety and Correctional Services (Division of Correction, Information Technology), Department of Legislative Services

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jm/jr

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