

Department of Legislative Services  
Maryland General Assembly  
1999 Session

FISCAL NOTE

House Bill 720 (Delegate Elliott. *et al.*)

Judiciary

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**Criminal Procedure - Sex Offender Registration - Retroactive Application**

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This bill requires State sex offender registration provisions to be applied retroactively if the offender is in the custody of a supervising agency on October 1, 1999. Current law requires the registration of: (1) all child sex offenders convicted on or after October 1, 1995; and (2) all other sex offenders to whom the registration requirements apply who were convicted on or after July 1, 1997.

In addition, the bill provides for these requirements to be severable.

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**Fiscal Summary**

**State Effect:** None. The requirements of this bill could be handled with the existing budgeted resources of affected State agencies.

**Local Effect:** None. The requirements of this bill could be handled with the existing budgeted resources of affected local governments.

**Small Business Effect:** None.

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**Fiscal Analysis**

**State Effect:** There are currently about 1,900 persons in the custody of supervising agencies of the Department of Public Safety and Correctional Services who could be subject to retroactive sexual offender registration requirements. The number of persons in the custody of other State supervising agencies who would be subject to this retroactive registration requirement is unknown, but is assumed to be small.

Since registration is required only upon the release of an individual from custody, and all the persons subject to the requirements of this bill would be released over time, it is assumed that

the requirements of this bill can be handled with the existing budgeted resources of any State entity serving as a supervising agency for sexual offenders.

**Local Effect:** The number of persons in the custody of local supervising agencies who would be subject to this retroactive registration requirement is unknown, but is assumed to be small. For the same reasons as cited above, it is assumed that the requirements of this bill can be handled with the existing budgeted resources of any local government entity serving as a supervising agency for sexual offenders.

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**Information Source(s):** Department of Public Safety and Correctional Services (Division of Correction, Information Technology and Communications Division), Department of Legislative Services

**Fiscal Note History:** First Reader - March 5, 1999

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