

Department of Legislative Services  
Maryland General Assembly  
1999 Session

FISCAL NOTE

Senate Bill 73 (Chairman, Judicial Proceedings Committee)  
(Departmental - Public Safety and Correctional Services)

Judicial Proceedings

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**Convictions for Crimes Against Children, Sexually Violent Offenses, or Other  
Sexual Offenses - Registration Requirements and Procedures**

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This departmental bill revises, restates, and recodifies existing laws concerning registration requirements and procedures for sexual offenders.

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**Fiscal Summary**

**State Effect:** None. Although an expanded list of required registrations may eventually lead to a need for additional resources, for the foreseeable future the provisions of this bill can be handled with the existing budgeted resources of the Department of Public Safety and Correctional Services.

**Local Effect:** None. Although an expanded list of required registrations may eventually lead to a need for additional local resources, for the foreseeable future the provisions of this bill can be handled with the existing budgeted resources of local government agencies serving as supervising authorities.

**Small Business Effect:** The Department of Public Safety and Correctional Services has determined that this bill has minimal or no impact on small business (attached). Legislative Services concurs with this assessment.

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**Fiscal Analysis**

**Bill Summary:** The bill extends lifetime registration to individuals convicted of aggravated or subsequent offenses.

The bill provides that the following additional persons must register under the State's sexual offender registration program: (1) out-of-state residents who work or attend school in

Maryland if they would be required to register as a resident of this State; and (2) persons convicted of sexual offenses in federal or military courts, or Native American tribal courts. The bill also eliminates a current law authorization by which a court may determine that a sexually violent predator no longer has that status.

**Background:** Maryland first enacted sexual offender registration legislation under the federal Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Program during the 1995 session (Chapter 142 of the Acts of 1995). Because the federal statute has been amended and also because there have been updates and changes to federal regulations, State laws subsequently underwent revisions in 1997 (Chapter 754) and 1998 (Chapters 473 and 521). It is intended and believed that this bill will bring Maryland into compliance with new federal requirements scheduled to take effect by October 1999.

The Governor's Office of Crime Control and Prevention receives an annual Byrne Memorial Fund grant that is contingent, in part, on compliance under the Wetterling provisions. Non-compliance could subject the State to a loss of 10% of the Byrne funding. Although Maryland is currently operating under a federal compliance waiver, it is anticipated that the provisions of this bill will bring the State into full compliance by October 1999. For fiscal 2000, the State expects to receive approximately \$9.4 million in Byrne funds which will be used to fund a variety of in-state programs and grants.

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**Information Source(s):** Department of Public Safety and Correctional Services (Division of Information and Technology), Governor's Office of Crime Control and Prevention, Montgomery County, Prince George's County, Department of Legislative Services

**Fiscal Note History:** First Reader - January 22, 1999

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