

**Department of Legislative Services**  
 Maryland General Assembly  
 2001 Session

**FISCAL NOTE**

Senate Bill 214 (Senator Munson, *et al.*)

Judicial Proceedings

**Criminal Procedure - Sexual Offender Registry**

This bill requires, rather than allows, the Department of Public Safety and Correctional Services (DPSCS) to post on the Internet specified information about each person on the State's sexual offender registry. The listing for each registrant is required to include a photograph of the registrant.

The bill also makes brokers, salespersons, sellers, or lessors of real estate immune from civil liability for a failure to investigate or disclose information from the sexual offender registry made available from the Internet posting.

The bill's provisions are made severable.

**Fiscal Summary**

**State Effect:** General fund expenditure increase of \$266,500 in FY 2002, including one-time expenses for contractual services and equipment. Out-years reflect annualization and inflation.

(in dollars)	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	266,500	63,600	64,700	65,800	66,934
Net Effect	(\$266,500)	(\$63,600)	(\$64,700)	(\$65,800)	(\$66,934)

*Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate effect*

**Local Effect:** None.

**Small Business Effect:** Potential meaningful. This bill could provide a significant small business opportunity for providers of needed hardware, software, and services.

## Analysis

**Current Law:** DPSCS is authorized, but not required, to post current listings of sexual offender registrants on the Internet.

**Background:** Chapter 402 of 1999 authorized DPSCS to post on the Internet a current listing of each person who is registered with the department as an offender, child sexual offender, sexually violent offender, or sexually violent predator. Such a listing would have to include each registrant's name, offense, and other identifying information. At that time, DPSCS estimated that the posting of this information on the Internet would entail a one-time computer related expenditure of up to \$200,000. To date, the department has not posted this information on the Internet.

In accordance with committee narrative from the 1999 *Joint Chairmen's Report*, 60 days before initiating such a website, DPSCS is required to submit a report to the budget committees that addresses:

- the anticipated cost of establishing and maintaining a secure website and what information DPSCS plans to make available on the website;
- the annual cost of disseminating copies of the registry via the mail;
- DPSCS's plans, if any, to confirm registrant information; and
- other options for making the information more easily accessible to the public (such as toll free telephone numbers).

The information provided by DPSCS for this bill does not address all of the questions raised in the *Joint Chairmen's Report*.

**State Expenditures:** General fund expenditures could increase by an estimated \$266,512 in fiscal 2002, which accounts for the bill's October 1, 2001 effective date. This estimate reflects the cost of hiring one contractual administrator to provide continuing project management. It includes a salary, fringe benefits, one-time start-up costs for contractual services (for project analysis, design, development, testing, and implementation), one-time website equipment costs (firewall, web server, gateway server, database server, router, and hub), and ongoing operating expenses.

Salary and Fringe Benefits	\$26,415
Contractual Services	165,100
Website Equipment	53,500
Operating Expenses	<u>21,497</u>
<b>Total FY 2002 State Expenditures</b>	<b>\$266,512</b>

Future year expenditures reflect: (1) contractual salaries with 2.3% annual increases; and (2) 1% annual increases in ongoing operating expenses.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

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

**Fiscal Note History:** First Reader – February 2, 2001  
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Analysis by: Guy G. Cherry

Direct Inquiries to:  
John Rixey, Coordinating Analyst  
(410) 946-5510  
(301) 970-5510