

STORAGE NAME: h0143.fpr.doc

DATE: February 20, 2002

**HOUSE OF REPRESENTATIVES
AS REVISED BY THE COMMITTEE ON
FISCAL POLICY & RESOURCES
ANALYSIS**

BILL #: HB 143

RELATING TO: Career Criminals

SPONSOR(S): Representative Bowen

TIED BILL(S): None

ORIGINATING COMMITTEE(S)/COUNCIL(S)/COMMITTEE(S) OF REFERENCE:

- (1) CRIME PREVENTION, CORRECTIONS & SAFETY YEAS 6 NAYS 0
 - (2) FISCAL POLICY & RESOURCES
 - (3) COUNCIL FOR HEALTHY COMMUNITIES
 - (4)
 - (5)
-

I. SUMMARY:

This bill creates a system and process for the registration of certain career criminals and authorizes community and public notification of certain registration information. A "career criminal" is any person who is designated as a habitual felony offender, a habitual violent felony offender, a violent career criminal, or a three-time violent felony offender under s. 775.084, F.S., or as a prison releasee reoffender under s. 775.082(9), F.S.

This bill has an effective date of October 1, 2002.

On January 24, 2002, the Committee on Crime Prevention, Corrections and Safety adopted a strike everything amendment that is traveling with the bill. The amendment substantially modifies the bill . See "Amendments or Committee Substitute Changes" for details.

THIS DOCUMENT IS NOT INTENDED TO BE USED FOR THE PURPOSE OF CONSTRUING STATUTES, OR TO BE CONSTRUED AS AFFECTING, DEFINING, LIMITING, CONTROLLING, SPECIFYING, CLARIFYING, OR MODIFYING ANY LEGISLATION OR STATUTE.

II. SUBSTANTIVE ANALYSIS:

A. DOES THE BILL SUPPORT THE FOLLOWING PRINCIPLES:

- | | | | |
|-----------------------------------|------------------------------|--|---|
| 1. <u>Less Government</u> | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | N/A <input type="checkbox"/> |
| 2. <u>Lower Taxes</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 3. <u>Individual Freedom</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 4. <u>Personal Responsibility</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 5. <u>Family Empowerment</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |

The career criminal registration and notification process created in this bill will increase responsibilities and obligations of the departments and agencies required to comply with the registration procedures.

This bill authorizes government to publicize the presence of a career criminal in a community. Some might consider this government interference with a career criminal's privacy rights.

B. PRESENT SITUATION:

Repeat Offenders

In Section 775.0841, F.S., the Legislature finds that "priority should be given to the investigation, apprehension, and prosecution of career criminals in the use of law enforcement resources and to the incarceration of career criminals in the use of available prison space." Section 775.084, F.S., defines repeat offender terms as follows:

- "Habitual felony offender" means a defendant who may be sentenced to an extended prison term if previously convicted of two or more felonies or other qualified offenses, and who meets other criteria relating to the felony for which he or she is to be sentenced.
- "Habitual violent felony offender" means a defendant who may be sentenced to an extended prison term if previously convicted of a felony, or an attempt or conspiracy to commit a felony, and one of those convictions was for murder, sexual battery, robbery, or another enumerated offense, and the defendant meets other criteria relating to the felony for which sentenced is imposed.
- "Three-time violent felony offender" means a defendant who may be sentenced to a mandatory minimum prison term if previously convicted as an adult two or more times of a felony, or an attempt or conspiracy to commit a felony, and two or more of those convictions were for murder, sexual battery, robbery or another enumerated offense, and the defendant meets other criteria relating to the felony for which sentencing is imposed.
- "Violent career criminal" means a defendant who will be sentenced to a prison term if previously convicted as an adult three or more times for an offense of aggravated child abuse, aggravated abuse of the elderly or disabled, escape, or another enumerated offense, and the defendant meets other criteria relating to the primary felony for which sentencing is imposed.

Convicted Felon Registration

Pursuant to Section 775.13, F.S., any person who has been convicted of a felony is required, within 48 hours of entering a county, to register with the sheriff of said county and be fingerprinted and photographed. This registration requires that the person provide identification information, list the crime for which convicted, place of conviction, and any sentence imposed. In lieu of registering with the sheriff, the person may register with the Department of Law Enforcement.

Sexual predators registered under s. 775.21, F.S., and sexual offenders registered under ss. 943.0435 or 944.607, F.S., are exempt from registration as a convicted felon. This section also provides other exemptions which include, but are not limited to, offenders who have had their civil rights restored and offenders who have received a full pardon for the offense for which convicted. Failure to register as a convicted felon as provided in s. 775.13, F.S., is a second degree misdemeanor punishable by up to 60 days imprisonment or a \$500 fine.

Sexual Predator Registration

Florida's Sexual Predator Act is established in Section 775.21, F.S., and provides that an offender shall be designated as a sexual predator for certain statutorily designated sexual offenses. The sexual predator designation is made by the court sentencing the offender for an offense applicable to the sexual predator designation. This law provides legislative findings and intent regarding the necessity for sexual predator registration and community and public notification regarding sexual predators.

Section 775.21(6) F.S., specifies the type of information that must be provided by the predator in each instance of registration, and how it is to be collected, transmitted, maintained, and disseminated by the agencies responsible for implementing the law. Information includes, but is not limited to, the predator's name, social security number, certain physical characteristics, photograph, residence address, employment information, and fingerprints.

Registration by DOC: If the sexual predator is in the custody or control of, or under the supervision of, the Department of Corrections (DOC), or is in the custody of a private correctional facility, the predator must register with DOC and provide certain information.¹

Registration by FDLE or sheriff: If the sexual predator is not in the custody or control of, or under the supervision of, DOC, or is not in the custody of a private correctional facility, and the predator resides in this state, the predator must initially register in person at an office of the Florida Department of Law Enforcement (FDLE), or at the sheriff's office in the county in which the predator resides, and must provide certain information. Registration procedures are also provided for sexual predators in the custody of a local jail or under federal supervision.

Registration by DHSMV: Within 48 hours after initial registration, a sexual predator who is not incarcerated and resides in the community, including those under DOC supervision, must register in person at a driver's license facility of the Department of Highway Safety and Motor Vehicles (DHSMV). At the driver's license facility, the sexual predator is required to provide certain information and to secure or renew a Florida driver's license or state identification card. When subject to license renewal, and within 48 hours after any residence address or name change, the predator must report in person to a driver's license office to present registration information.²

Out-of-state residence: A sexual predator who plans to establish residency in another state must report in person to the sheriff of the county of current residence or FDLE within 48 hours before

¹ s. 775.21(6)(b), F.S.

² s. 775.21(6)(f) and (g), F.S.

date of departure to provide intended residence information. Failure to provide this information is a third degree felony pursuant to s. 775.21(6)(i), F.S.

FDLE responsibilities and dissemination of information: FDLE is responsible for the on-line maintenance of current information regarding sexual predators and must maintain hotline access for state, local, and federal law enforcement agencies to obtain information. FDLE's sexual predator list is a public record and the department is required to adopt guidelines as necessary for the registration of sexual predators and dissemination of predator information.³

Duration and removal of sexual predator designation: A designated sexual predator must maintain registration with FDLE for the duration of the predator's life, unless a full pardon has been granted, or a conviction has been set aside for any felony offense meeting the criteria for the sexual predator designation. However, the law provides a mechanism for the sexual predator to petition for removal of the sexual predator designation after a certain period has elapsed, if the petitioner has had no arrests during that period and the court is otherwise satisfied the petitioner is not a current or potential threat to public safety.

Community and public notification: Law enforcement agencies must inform members of the community and the public of a sexual predator's presence as set forth in s. 775.21(7), F.S.

Verification: FDLE and DOC are required to verify the addresses of sexual predators, and that verification must be consistent with federal sexual predator laws.

Immunity: The law contains a provision immunizing certain agencies and persons from civil liability for damages for good-faith compliance with registration and notification requirements.

Penalties: Penalties are provided for the sexual predator's failure to comply with the registration requirements and for misuse of public records information regarding sexual predators.

Sexual Offender Registration

Registration requirements and other provisions relevant to certain sexual offenders (those not designated sexual predators) are provided in ss. 943.0435 and 944.607, F.S. Many of the requirements and provisions in these sections are similar, if not identical, to those provided for sexual predators under s. 775.21, F.S.

Community and public notification procedures and requirements for sexual offenders are provided by ss. 943.043 and 943.0435, F.S. Section 944.606, F.S., requires DOC to provide information to law enforcement agencies regarding any sexual offender who is being released from incarceration, and must notify FDLE if a sexual offender escapes, absconds, or dies.

C. EFFECT OF PROPOSED CHANGES:

HB 143 requires that certain people register as a "career criminal" and defines the term to mean any offender who is convicted as a "habitual felony offender," a "habitual violent felony offender," a "violent career criminal," or a "three-time violent felony offender" under s. 775.084, F.S., or as a "prison releasee reoffender" under s. 775.082(9), F.S.

The career criminal registration requirements do not apply to any person who has been designated as a sexual predator under s 775.21, F.S., or who is required to register as a sexual offender under ss. 943.0435 or 944.607, F.S.

³ s. 775.21(6)(k), F.S.

Each career criminal in this state must register with the sheriff of the county in which he or she resides by providing certain information to the sheriff. This information includes the offenders name, social security number, age, race, sex, date of birth, height, weight, hair and eye color, photograph, residence address, date and place of employment, date and place of each conviction, fingerprints, and a brief description of the crime or crimes committed by the offender.

If the career criminal is in the custody or control of, or under the supervision of, the DOC, or is in the custody of a private correctional facility, the career criminal must register with the sheriff of the county where the facility is located. The DOC must provide registration information to the sheriff and the location of, and telephone number for, any DOC office responsible for supervising the career criminal. DOC is required to notify the sheriff if the career criminal dies, or escapes or absconds from custody or supervision. Similar requirements are provided for the custodian of a local jail where a career criminal is confined, and suggested for a federal agency responsible for supervising a career criminal.

Career criminals who are not in the custody or control of, or under the supervision of DOC, or not in the custody of a private correctional facility, and establishes or maintains a residence in the state must register in person at the sheriff's office in the county of residence within 48 hours of establishing residence. The sheriff is required to fingerprint and photograph the career criminal.

Within 48 hours of initial registration, a career criminal who is not incarcerated and who resides in the community, including a career criminal under DOC supervision, must register in person at a DHSMV driver's license office and present proof of registration. The career must secure or renew a Florida driver's license or state identification card, and must provide residence information and any additional information necessary to confirm the identity of the career criminal, including a set of fingerprints.

A career criminal must report in person to a driver's license office each time his or her driver's license or state identification card is subject to renewal and within 48 hours after any change in name or residence address. DHSMV must forward all career criminal photographs and information to the sheriff and to DOC, and may release a reproduction of a color-photograph or digital-image license to the sheriff for purposes of public notification.

A sheriff must, within 48 hours of registering a career criminal, notify the state attorney of the county, and if applicable, the police chief of the municipality where the career criminal maintains a residence.

If a career criminal intends to establish residence in another state, he or she must report in person to the sheriff of the county of current residence within 48 hours before the date he or she intends to leave the state. The career criminal must provide the sheriff the address, municipality, county, and state of intended residence. The sheriff must notify law enforcement authorities in the intended state of the career criminal's residence. Failure by a career criminal to provide his or her intended place of residence is a third degree felony. A career criminal person who reports his or her intention to leave the state, but later decides to remain, must report in person to the sheriff within 48 hours after the intended departure date. Failure to report to the sheriff in the required manner is a second degree felony.

The sheriff's career criminal registration list is a public record. The may disseminate this information by any means considered appropriate. When providing information regarding a career criminal to the public, the sheriff must advise the person making the inquiry that positive identification of a person believed to be a career criminal cannot be established without a fingerprint comparison.

A career criminal who fails to register; who fails, after registration, to maintain, acquire, or renew a driver's license or identification card; who fails to provide required location or change-of name information; or who otherwise fails, by act or omission, to comply with registration requirements commits a third degree felony.

This bill becomes effective October 1, 2002.

D. SECTION-BY-SECTION ANALYSIS:

See "Effect of Proposed Changes."

III. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

According to DOC, there are currently 2,421 offenders who meet the criteria for a career criminal as defined in this bill who are under supervision in Florida. The majority of these cases are assigned to Correctional Probation Specialists, whose caseloads are limited to a ratio of 50:1. These officers currently comply with notification and registration procedures for sexual offenders and DOC anticipates that passage of this legislation will result in an increased workload for the officers, thus incurring additional costs to the department. DOC estimated costs of \$1,089,310 for 24 FTE, \$244,902 in recurring expense, \$93,950 in nonrecurring expense, \$80,736 for OCO expense, and \$14,250 for salary incentives, for a total of \$1,523,418 for FY 2001-02.⁴

DHSMV reported that, if enacted, HB 143 would require contracted programming modifications to the driver licenses software systems at an estimated cost of \$172,800 for FY 2002-03.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

The provisions of this bill will have an indeterminate fiscal impact on sheriffs who must comply with the registration and notification requirements of this bill.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

⁴ Bill Analysis on HB 143, Department of Corrections, October 15, 2001.

D. FISCAL COMMENTS:

See "Amendments or Committee Substitute Changes" for additional fiscal comments.

IV. CONSEQUENCES OF ARTICLE VII, SECTION 18 OF THE FLORIDA CONSTITUTION:

A. APPLICABILITY OF THE MANDATES PROVISION:

This bill is exempt from the requirements of Article VII, Section 18 of the Florida Constitution because it is a criminal law.

B. REDUCTION OF REVENUE RAISING AUTHORITY:

This bill does not reduce the authority the counties or municipalities have to raise revenues in the aggregate.

C. REDUCTION OF STATE TAX SHARED WITH COUNTIES AND MUNICIPALITIES:

This bill does not reduce the percentage of a state tax shared with counties or municipalities.

V. COMMENTS:

A. CONSTITUTIONAL ISSUES:

The career criminal registration and notification created by this bill is similar to the registration and notification system currently used for sexual predators, therefore cases relating to sexual predator registration and notification may be relevant.

Sexual predator registration and notification laws have been found not to encroach on constitutional privacy interests, *Johnson v. State*, 2000 WL 1760181 (Fla. 5th DCA 2000); not to violate state constitutional due process rights, *id.*; and not to constitute double jeopardy, *Collie v. State*, 710 So.2d 1000 (Fla. 2d DCA 1998).

The sexual predator registration and notification laws have been found to be unconstitutionally overinclusive as applied to a person designated as a sexual predator under those laws for an offense the court found was not sexual in nature. *Robinson v. State*, 2001 WL 1359204 (Fla. 4th DCA 2001). The Fourth District Court of Appeal has certified to the Florida Supreme Court the question of whether those laws violate equal protection as to defendants convicted of false imprisonment where it is undisputed that the offense was committed without any sexual motivation. *Raines v. State*, 26 Fla. L. Weekly D2921a (Fla. 4th DCA December 12, 2001).

Retroactive application of the sexual predator registration and notification laws has been found not to constitute an ex post facto violation. See *Mendez v. State*, 2001 WL 314524*2 (Fla. 5th DCA 2001) ("[D]esignation as a sexual predator is 'neither a sentence nor a punishment but simply a status resulting from the conviction of certain crimes.' *Fletcher v. State*, 699 So.2d 346, 347 (Fla. 5th DCA 1997). Therefore, no ex post facto concerns exist that would prohibit applying the current statute to Mendez. *Rickman v. State*, 714 So.2d 538 (Fla. 5th DCA 1998); *Doe v. Portiz*, 142 N.J. 1, 662 A.2d 367 (N.J. 1995).")

B. RULE-MAKING AUTHORITY:

None.

C. OTHER COMMENTS:

None.

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

The Committee on Crime Prevention, Corrections and Safety adopted a strike everything amendment which is traveling with the bill. The amendment makes substantial changes to the career criminal registration system as provided in the original bill, therefore, the provisions will be described in detail.

The amendment creates the Florida Career Offender Registration Act. It establishes a system and process for the registration of certain career offenders and authorizes community and public notification of certain registration information. This career offender registration system is similar, but not identical, to the current registration system used for sexual predators and sexual offenders.

The original bill provides for a "career criminal" registration system. As referenced in s. 775.0841, F.S., "career criminal" is a commonly known term used to describe repeat and violent felony offenders who are subject to increased efforts by law enforcement agencies and prosecutors to investigate, apprehend, prosecute and incarcerate for extended terms. In order to avoid potential confusion with the term "career criminal" as currently referenced in Chapter 775, F.S., the amendment creates a "career offender" registration system.

Like the sexual predator/sexual offender registration, the implementation of the career offenders registration system is the responsibility of FDLE, the sheriffs, the DOC and private correctional facilities, and the DHSMV. An important difference is that, unlike the sexual predator/sexual offender system, there is no address verification requirement for career offenders who are not under DOC's care, custody, control, or supervision. Omitting the address verification process for these specific career offenders will reduce the costs of the system, however, data quality for the career offender registration system is likely not as great as that of the sexual predator/sexual offender system. The address verification requirement in the sexual predator/sexual offender laws exists to comply with requirements established in federal law relating to sexual predators.

Legislative Intent: The amendment provides legislative intent and finds that career offenders, by virtue of their histories of offenses, present a threat to the public and communities. The Legislature finds that this registration is a status, not a punishment, and community and public notification of certain registration information aids the public and communities in avoiding victimization. This registration is intended to aid law enforcement agencies in the timely apprehension of career offenders. The Legislature intends to require career offender registration and authorize public and community notification by law enforcement.

Definitions and criteria: The amendment defines a "career offender" as any person who is designated as a habitual violent felony offender, a violent career criminal, or a three-time violent felony offender under s. 775.084 or as a prison releasee reoffender under s. 775.082(9), F.S. The original bill includes offenders designated as "habitual felony offenders"⁵ in defining "career criminals" who are subject to registration, however, the definition of "career offender" as provided in this amendment excludes "habitual felony offenders" from the requirements of the career offender registration act. (These terms are previously defined in the "Present Situation" section of the analysis.)

Career offender registration does not apply to registered sexual predators or sexual offenders,⁶ and the amendment further provides that persons subject to career offender registration are exempt from

⁵s. 775.084(1)(a), F.S.

⁶ss. 775.21, 943.0435, 944.607, F.S.

convicted felon registration.⁷ A person is not a career offender if the person has received a pardon, or a conviction has been set aside for a felony or other qualified offense necessary for designation as a career offender.

Registration by FDLE or sheriff: The amendment requires career offenders released on or after January 1, 2004, from a sanction imposed in this state for one of the repeat offender designations previously described must register with FDLE or the sheriff's office in the county of residence within 48 hours after establishing residence or within 48 hours after being released from the custody, control, or supervision of DOC or from the custody of a private correctional facility.

Sheriffs who register career offenders must photograph and fingerprint the offender and forward all registration information to FDLE. If a career criminal registers with FDLE, FDLE must notify the sheriff, and, if applicable, the police chief of the municipality where the career offender resides within 48 hours after the registration.

FDLE responsibilities and dissemination of information: FDLE is required to maintain on-line computer access to current information regarding registered career offenders, and must maintain hotline access for state, local and federal law enforcement agencies to obtain information for purposes of monitoring, tracking, and prosecution. FDLE's career offender registration list contains certain identification and address information, and is a public record. FDLE may disseminate this information by any means deemed appropriate, but must advise the person inquiring about such information that positive identification of a person believed to be a career offender cannot be established without a fingerprint comparison and that it is illegal to misuse public information regarding a registered career offender to facilitate the commission of a crime. FDLE is required to adopt guidelines as necessary for registration of career offenders and dissemination of registration information.

Registration by DOC: If a career offender is in the custody or control of, or under the supervision of, DOC or a private correctional facility, the offender must register with DOC and provide specified information as provided in s. 775.261, F.S., unless he or she is required to register as a sexual predator or sexual offender. DOC is required to verify the address information. A career offender is subject to the third degree felony penalties provided in ss. 775.261 and 944.608, F.S., for failing to comply with the requirements of those sections.

DOC responsibilities and dissemination of information: DOC must provide certain information to FDLE, including contact information for the DOC office supervising the career offender, as well as a digitized photograph of the offender. Information provided to FDLE must be made available electronically as soon as the information is in DOC's database and must be in a specific format. The DOC must notify FDLE of any changes in a career offender's information, and notification is required if the offender escapes, absconds, or dies while in its custody or control, or under its supervision.

The DOC or any law enforcement agency is authorized to notify the community and public of a career offender's presence in the community.

Registration by DHSMV: Within 48 hours of initial registration, a career offender who is not incarcerated and who resides in the community, including a career offender under DOC supervision, must register in person at a driver's license office of DHSMV. The career offender must present proof of career offender registration and secure or renew a driver's license or state identification card, and must provide residence address and other information. When subject to license renewal, and within 48 hours after any residence address or any name change, the predator must report in person to a driver's license office to be photographed and to present registration information.

⁷s. 775.13, F.S.

DHSMV responsibilities: The DHSMV must forward to FDLE and DOC all photographs and information provided to it by the career offender. DHSMV is authorized to release a reproduction of the color-photograph or digital-image license to FDLE for purposes of public notification.

Out-of-state residence: A career offender who intends to establish residency in another state or jurisdiction must report in person to the sheriff of the county of current residence, or FDLE within 48 hours before the date of departure and must provide address, municipality, county, and state of intended residence. The sheriff must promptly provide this information to FDLE. If under the supervision of DOC, a career offender must notify the supervising probation officer of his or her intent to transfer supervision and must satisfy all transfer requirements pursuant to the Interstate Compact for Supervision of Adult Offenders, as provided in s. 949.07, F.S.

Failure by the career offender to report and provide this information is a third degree felony. An offender who indicated his or her intent to reside in another state but later decide to remain in Florida are required to report in person to the agency to which his or her intended departure was reported. Failure to report and provide this information is a second degree felony.

Duration and removal of requirement for registration: A designated career offender must maintain registration for the duration of his or her life, unless a full pardon has been granted, or a conviction has been set aside in a postconviction proceeding for any offense meeting the criteria for classifying the person as a career offender for the purpose of registration. The amendment provides a mechanism for a person to petition for removal of the registration requirement after he or she has been released from confinement, supervision, or sanction for at least 20 years, if the petitioner has had no arrests during that period and the court is otherwise satisfied the petitioner is not a current or potential threat to public safety.

Community and public notification: Law enforcement agencies are authorized to inform members of the community and the public of a career offender's presence in the community. The sheriff of the county or the chief of police of the municipality where the career offender resides may provide notification in any manner deemed appropriate and these notification efforts may be coordinated with FDLE.

Immunity: The amendment contains provisions immunizing certain agencies and persons from civil liability for damages for good-faith compliance with registration and notification requirements.

Penalties: A third degree felony penalty is provided for any career offender who: fails to register; fails to maintain, acquire, or renew a driver's license or state identification card after registration; fails to provide required location or name-change information; or fails, by act or omission, to comply with the registration requirements. A person who misuses public records information concerning a career offender commits a first degree misdemeanor.

Fiscal impact of amendment:

FDLE estimated a start-up cost of \$194,590 for 4 FTE and \$511,303 to design, implement, and maintain the career offender registration system, for a total of \$705,893 for FY 2002-03. FDLE estimates recurring costs of \$429,289 for FY 2003-04 and estimates those costs will remain at \$429,289 for FY 2004-05. Also reflected in these estimates is the cost for installation and maintenance of a toll-free phone line for public information.⁸

⁸In the Bill Analysis dated December 28, 2002, FDLE originally estimated a start-up cost of \$369,672 for 9 FTE and \$511,303 to design, implement, and maintain the career offender registration system, for a total of \$880,975 for FY 2002-03, and recurring costs of \$604,371 each for FY 2003-04 and FY 2004-05. The fiscal impact was revised by FDLE on January 23, 2002.

STORAGE NAME: h0143.fpr.doc

DATE: February 20, 2002

PAGE: 11

DHSMV reported that the provisions of this amendment, if enacted, would require contracted programming modifications to the driver license software systems at an estimated cost of \$172,800.

DOC reported as of 8/31/01, there were 233 career criminals (as defined in the amendment) in the supervised population. Although complying with the registration requirements will impact the workload of Correctional Probation Specialists, DOC reported that the effective date of January 1, 2004, will lessen the impact on Community Corrections. An estimated 100 offenders will be released in 2004 and subject to supervision and registration as career criminals, therefore the department estimates the fiscal impact will be minimal.

VII. SIGNATURES:

COMMITTEE ON CRIME PREVENTION, CORRECTIONS & SAFETY:

Prepared by:

Staff Director:

Lynn Dodson

Trina Kramer

AS REVISED BY THE COMMITTEE ON FISCAL POLICY & RESOURCES:

Prepared by:

Staff Director:

Douglas Pile

Lynne Overton