

### Fiscal Estimate - 2011 Session

Original       Updated       Corrected       Supplemental

<b>LRB Number</b> 11-3238/3	<b>Introduction Number</b> AB-0624									
<b>Description</b> Representations depicting nude children and requiring sex offender registration for adults who commit the offense against a child who is under the age of 16										
<b>Fiscal Effect</b>										
<b>State:</b> <input type="checkbox"/> No State Fiscal Effect <input checked="" type="checkbox"/> Indeterminate <table style="width:100%; border:none;"><tr><td><input type="checkbox"/> Increase Existing Appropriations</td><td><input type="checkbox"/> Increase Existing Revenues</td><td><input type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget</td></tr><tr><td><input type="checkbox"/> Decrease Existing Appropriations</td><td><input type="checkbox"/> Decrease Existing Revenues</td><td style="text-align:center"><input type="checkbox"/> Yes      <input type="checkbox"/> No</td></tr><tr><td><input type="checkbox"/> Create New Appropriations</td><td></td><td><input type="checkbox"/> Decrease Costs</td></tr></table>		<input type="checkbox"/> Increase Existing Appropriations	<input type="checkbox"/> Increase Existing Revenues	<input type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget	<input type="checkbox"/> Decrease Existing Appropriations	<input type="checkbox"/> Decrease Existing Revenues	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Create New Appropriations		<input type="checkbox"/> Decrease Costs
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<b>Local:</b> <input checked="" type="checkbox"/> No Local Government Costs <input type="checkbox"/> Indeterminate <table style="width:100%; border:none;"><tr><td style="vertical-align: top;">1. <input type="checkbox"/> Increase Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory</td><td style="vertical-align: top;">3. <input type="checkbox"/> Increase Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory</td><td style="vertical-align: top;">5. Types of Local Government Units Affected <input type="checkbox"/> Towns      <input type="checkbox"/> Village      <input type="checkbox"/> Cities <input type="checkbox"/> Counties      <input type="checkbox"/> Others <input type="checkbox"/> School Districts      <input type="checkbox"/> WTCS Districts</td></tr><tr><td style="vertical-align: top;">2. <input type="checkbox"/> Decrease Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory</td><td style="vertical-align: top;">4. <input type="checkbox"/> Decrease Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory</td><td></td></tr></table>		1. <input type="checkbox"/> Increase Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	3. <input type="checkbox"/> Increase Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	5. Types of Local Government Units Affected <input type="checkbox"/> Towns <input type="checkbox"/> Village <input type="checkbox"/> Cities <input type="checkbox"/> Counties <input type="checkbox"/> Others <input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts	2. <input type="checkbox"/> Decrease Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	4. <input type="checkbox"/> Decrease Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory				
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<b>Fund Sources Affected</b> <input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS										
<b>Affected Ch. 20 Appropriations</b>										
<b>Agency/Prepared By</b> DOC/ Dustin Trickle (608) 240-5413	<b>Authorized Signature</b> Melissa Roberts (608) 240-5055	<b>Date</b> 3/9/2012								

## Fiscal Estimate Narratives

DOC 3/9/2012

LRB Number	11-3238/3	Introduction Number	AB-0624	Estimate Type	Original
<b>Description</b> Representations depicting nude children and requiring sex offender registration for adults who commit the offense against a child who is under the age of 16					

### Assumptions Used in Arriving at Fiscal Estimate

Under current law, a person commits a Class I felony if he or she makes a visual representation, reproduces a visual representation, or possesses, distributes, or exhibits a representation of a nude person without that person's consent and if that person had a reasonable expectation of privacy. The court may order the offender to register as a sex offender with the Department of Corrections if the underlying conduct was determined to be sexually motivated and that registration would be in the public interest.

Under this bill, if a person who is at least 21 years of age commits the felony and the victim has not attained the age of 16, the court must order the person to register with the Department as a sex offender.

In FY10, one offender was admitted to prison and four offenders were admitted to community supervision for this particular offense. To determine the cost impact to the Department of this legislation, the number of offenders over the age of twenty-one and the age of their victims (the number under sixteen) would have to be known. The number of these offenders, minus the number already ordered to register as a sex offender, would approximate the number of new registrants per year for the Department if this legislation were to become law.

The Department is not able to determine how many additional offenders would need to register as sex offenders under this bill, and therefore, is unable to estimate the fiscal impact. However, the cost is not anticipated to be significant, if any, and likely would be absorbed within the agency's budget due to the relatively small number of offenders in question.

The Department anticipates no local cost changes would result from this legislation.

### Long-Range Fiscal Implications