

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

1056

HB 1056

Rep. Koppelman, DeKrey, Delmore

Sen. Traynor, Trenbeath, Nelson

A BILL for an Act to amend and reenact sections 12.1-20-03, 12.1-20-03.1, and 12.1-32-06.1 of the North Dakota Century Code, relating to sentencing of sexual offenders; and to provide a penalty.

01/04 House Introduced, first reading, referred Judiciary
01/10 House Request return from committee
Withdrawn from further consideration

HJ 40
HJ 93
HJ 93

FISCAL NOTE
Requested by Legislative Council
12/17/2004

Bill/Resolution No.: HB 1056

1A. **State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2003-2005 Biennium		2005-2007 Biennium		2007-2009 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0	\$0	\$0	\$0
Appropriations	\$0	\$0	\$0	\$0	\$0	\$0

1B. **County, city, and school district fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

2003-2005 Biennium			2005-2007 Biennium			2007-2009 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

2. **Narrative:** *Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.*

Effect on Prisons Division:

Inmates are sent to the Department of Corrections and Rehabilitation under current statutes are seldom given the maximum available sentence. For calendar year 2003 DOCR admissions for GSI with force were sentenced to an average 6.5 years (a low of 3 years and a high of 12 years). Other GSI cases received a range from 6 months to 12 years with only one sentence of 20 years (maximum) to prison. The average was 4.6 years. Other crimes in this section were very limited and all received a sentence less than the maximum. It is not anticipated that there will be any incarceration impact until the 2009-11 biennium unless sentencing practices change.

Effect on Field Services Division:

Case loads for probation officers will be impacted significantly after the 2007-09 biennium. Specialized sex offender probation officers were hired in the second half of the 2003-05 biennium and it is anticipated those officers will be able to effectively manage sex offender probation cases during the fiscal note period. It will be necessary to evaluate the willingness of the courts to impose additional (discretionary) period of probation before a reasonable estimate can be made. However, it is the opinion of the DOCR that major effects will not be felt until after the 2007-09 biennium.

3. **State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*

A. **Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

B. **Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

C. **Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.*



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Agency: DOCR
Date Prepared: 12/30/2004

