

FISCAL NOTE

Requested by Legislative Council

11/26/2001

Bill/Resolution No.: HB 1480

Amendment to:

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.*

	1999-2001 Biennium		2001-2003 Biennium		2003-2005 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues	\$0	\$0	\$0	(\$440,000)	\$0	(\$440,000)
Expenditures	\$0	\$0	\$0	(\$440,000)	\$0	(\$440,000)
Appropriations	\$0	\$0	\$0	\$0	\$0	(\$440,000)

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

1999-2001 Biennium			2001-2003 Biennium			2003-2005 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
\$0	\$0							

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

The federal Pam Lychner Act requires states to have lifetime registration for repeat sex offenders, whether the offenses were felonies or misdemeanors. North Dakota law targets repeat felony offenders, but needs to target all offenders convicted of felonies or misdemeanors. The penalty for noncompliance with the Act is a loss of 10% of federal Edward Byrne Memorial State and Local Law Enforcement Assistance Program grants, which is a loss in federal funds of approximately \$440,000 per 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.*

If it is determined that the state is out of compliance with the Act, the penalty is the loss of 10% of federal Edward Byrne Memorial State and Local Law Enforcement Assistance Program grants, which is a loss in federal fund revenues of approximately \$440,000 per biennium. Although an impact to cities and counties is likely, the amount of the impact is unknown at this time.

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.*

If it is determined that the state is out of compliance with the Act, the penalty is the loss of approximately \$440,000 in federal grants. The North Dakota Drug and Violent Crime Policy Board will need to reduce grant awards by

10% of the normal federal grant as a result of noncompliance. It is unknown at this time what state and local programs the Board will reduce and the impact of the reductions.

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.*

If it is determined that the state is out of compliance with the Act, the loss of 10% of grant funds will result in a reduction in state and local law enforcement grants equal to approximately \$440,000 for the biennium. The Board will need to determine which of the 28 purpose areas to reduce. The 28 purpose areas include:

- Demand-reduction education programs in which law enforcement officers participate.
- Multijurisdictional task force programs to integrate federal, state, and local drug law enforcement agencies and prosecutors for the purpose of enhancing interagency coordination and intelligence and facilitating multijurisdictional investigations.
- Community and neighborhood programs to assist citizens in preventing and controlling crime, including special programs that address crimes committed against the elderly and special programs in rural jurisdictions.
- Programs to improve the operational effectiveness of courts by expanding prosecutorial, defender, and judicial resources and implementing court delay-reduction programs.
- Programs to improve the corrections system and provide additional public correctional resources, including treatment in prisons and jails, intensive supervision programs, and long-range corrections and sentencing strategies.
- Programs to identify and meet the treatment needs of adult and juvenile drug- and alcohol- dependent offenders.
- Programs to improve the criminal and juvenile justice system's response to domestic and family violence, including spouse abuse, child abuse, and elder abuse.
- Programs to strengthen urban enforcement and prosecution efforts targeted at street drug sales.
- Law enforcement and prevention programs for gangs and youth who are involved or at risk of involvement in gangs.
- Programs to develop or improve forensic laboratory capability to analyze DNA for identification purposes.
- Programs to develop and implement antiterrorism training and procure equipment for local law enforcement authorities.

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Prepared: