



Senate Fiscal Agency
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BILL ANALYSIS



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Senate Bill 221 (as introduced 2-26-13)
Sponsor: Senator Rick Jones
Committee: Judiciary

Date Completed: 3-4-13

CONTENT

The bill would amend the Sex Offenders Registration Act (SORA) to require a person registered under the Act to pay an annual, rather than a one-time, \$50 registration fee.

Under the Act, an individual who is required to be registered and is not incarcerated must report in person to the registering authority where he or she lives. ("Registering authority" means the local law enforcement agency or sheriff's office, or the nearest State Police post designated to receive or enter sex offender registration information.) The registrant must report annually, semiannually, or quarterly depending on the offender. The Act requires an individual who reports to pay a \$50 registration fee if he or she has not already paid a fee upon original registration. The fee must be paid only once.

The bill would delete the provision that the fee must be paid only once. Instead, an individual who reported as required under SORA would have to pay a \$50 registration fee upon initial registration and then annually. Payment of the fee would have to be made between January 1st and January 15th of each year in which the fee applied. Payment would not have to be made for any registration year that had expired before the bill's effective date.

(The Act requires \$30 of each registration fee to be forwarded to the Michigan Department of State Police (MSP) for deposit in the Sex Offenders Registration Fund, and \$20 to be retained by the court, local law enforcement agency, sheriff's department, or MSP post. Money credited to the Fund may be used by the MSP for training concerning, and the maintenance and automation of, the law enforcement database, public internet website, and information required to be collected and maintained for the database and website, or for notification and offender registration duties. Money in the Fund at the close of the fiscal year must remain in the Fund and may not lapse to the General Fund.)

MCL 28.725a

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill would have a significant fiscal impact on State and local funding for support of SORA, increasing the current annual restricted revenue for this purpose from approximately \$160,000 in fee revenue to up to \$700,000.

According to the MSP, current revenue from the one-time registration fee provides approximately \$90,000 in support at the State level for operation of the database and other duties and \$60,000 at the local law enforcement level. With the bill's requirement that each of the registrants pay an annual, rather than a one-time, \$50 fee, the MSP would receive up to \$420,000 and local units up to \$280,000. The amount would most likely be less than this figure due to allowances for indigent members and overall enforcement success.

At the State level, it currently costs approximately \$1.2 million annually to operate the registry, with \$600,000 alone needed to maintain the database, clearly demonstrating that little of the operation is covered by current member registration fees. Funding for the program consists of fee revenue, grants, and General Fund support. Under the bill, approximately 60% of the State's cost would be covered by restricted revenue from the proposed fees and local law enforcement agencies would receive considerably more funding to support their SORA enforcement duties.

It is not known at this time whether the MSP would use the additional funds made available under the bill to supplant existing GF/GP support for the program, initiate improvements in the operation of SORA's provisions, or do some combination of the two.

Fiscal Analyst: Bruce Baker