

**LEGISLATIVE SERVICES AGENCY  
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**FISCAL IMPACT STATEMENT**

**LS 6285**

**BILL NUMBER:** HB 1253

**NOTE PREPARED:** Mar 4, 2003

**BILL AMENDED:** Feb 10, 2003

**SUBJECT:** Criminal Records of Juveniles.

**FIRST AUTHOR:** Rep. Smith V

**FIRST SPONSOR:** Sen. Dillon

**BILL STATUS:** As Passed - House

**FUNDS AFFECTED:**  **GENERAL**  
 **DEDICATED**  
 **FEDERAL**

**IMPACT:** State & Local

**Summary of Legislation:** (Amended) This bill has the following provisions:

A) It provides for the sealing of criminal history data concerning an act committed by a person before the person became 18 years of age ten years after the person was last convicted of an offense (if the person was waived from juvenile court) or adjudicated a delinquent child.

B) It specifies that this provision does not apply to a person who:

(1) commits a sex offense, certain violent offenses, drug offenses, arson, or murder;

(2) is in a penal facility when the person is at least 22 years of age;

(3) is arrested for a felony after the person becomes 18 years of age; or

(4) has been convicted of a felony within ten years of the person being adjudicated a delinquent child.

**Effective Date:** July 1, 2003.

**Explanation of State Expenditures:** Under current Indiana law, the Indiana State Police Department is required to maintain a state central repository of criminal history data. In fulfilling the requirement of this bill, the State Police would incur additional expenses by writing a computer program and adding one employee to review an additional 200 criminal records per week. The computer program would cost \$170 to write, and the cost for an additional employee would be approximately \$26,000 annually.

The funds and resources required above could be supplied through a variety of sources, including the following: (1) Existing staff and resources not currently being used to capacity; (2) Existing staff and resources currently being used in another program; (3) Authorized, but vacant, staff positions, including those positions that would need to be reclassified; (4) Funds that, otherwise, would be reverted; or (5) New

appropriations. As of December 11, 2002, the Indiana State Police Department had 126 vacant civilian positions throughout the agency, with 44 of the vacant positions within the Bureau of Support Services. Ultimately, the source of funds and resources required to satisfy the requirements of this bill will depend upon legislative and administrative actions.

**Explanation of State Revenues:**

**Explanation of Local Expenditures:** Criminal and juvenile justice agencies would also be required to seal criminal history data of certain individuals. It is not likely these agencies would incur additional administrative expenses due to this provision.

**Explanation of Local Revenues:**

**State Agencies Affected:** Indiana State Police.

**Local Agencies Affected:** Criminal and Juvenile Justice Agencies.

**Information Sources:**

**Fiscal Analyst:** Mark Goodpaster, 317-232-9852