

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 6026

BILL NUMBER: SB 2

NOTE PREPARED: Jan 24, 2006

BILL AMENDED: Jan 19, 2006

SUBJECT: Sex Offenders and Obscenity.

FIRST AUTHOR: Sen. Drozda

FIRST SPONSOR: Rep. J Smith

BILL STATUS: As Passed Senate

FUNDS AFFECTED: **GENERAL**
 DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: This bill makes either displaying for rent or renting matter that is harmful to a minor within 500 feet of a school or church a Class D felony.

Effective Date: July 1, 2006.

Explanation of State Expenditures: A Class D felony is punishable by a prison term ranging from six months to three years or reduction to Class A misdemeanor. Assuming offenders can be housed in existing facilities with no additional staff, the average cost for medical care, food, and clothing is approximately \$1,825 annually, or \$5 daily, per prisoner. However, any additional expenditures are likely to be small. The average length of stay in Department of Correction (DOC) facilities for all Class D felony offenders is approximately ten months.

Explanation of State Revenues: *Penalty Provision:* If additional court cases occur and fines are collected, revenue to both the Common School Fund (from criminal fines) and the state General Fund (from court fees) would increase. The maximum fine for a Class D felony is \$10,000. However, any additional revenues are likely to be small.

Explanation of Local Expenditures: *Penalty Provision:* If more defendants are detained in county jails prior to their court hearings, local expenditures for jail operations may increase. However, any additional expenditures are likely to be small.

Explanation of Local Revenues: *Penalty Provision:* If additional court actions occur and a guilty verdict is entered, local governments would receive revenue from court fees. However, the amounts would likely be small.

State Agencies Affected: Department of Correction.

Local Agencies Affected: Trial courts, local law enforcement agencies.

Information Sources: Mike Eslinger, Indiana Sheriffs' Association, 356-3633.

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