

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 6041
BILL NUMBER: HB 1080

NOTE PREPARED: Feb 24, 2012
BILL AMENDED: Feb 23, 2012

SUBJECT: Sexual Battery.

FIRST AUTHOR: Rep. Frye R
FIRST SPONSOR: Sen. Eckerty

BILL STATUS: CR Adopted - 2nd House

FUNDS AFFECTED: GENERAL
DEDICATED
FEDERAL

IMPACT: State

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

- A. *Sexual Misconduct by a Service Provider* – It provides that if a person is: (1) a public servant or other person employed by a governmental entity or another person who provides goods or services to a person who is subject to lawful detention; and (2) convicted of engaging in sexual intercourse or deviate sexual conduct with another person who is subject to lawful detention; the person is considered to be a sex offender who must register as a sex or violent offender with the appropriate law enforcement agency.
- B. *Interim Study Topic* - It urges the Legislative Council to study the topic of sexual battery during the 2012 interim.

Effective Date: July 1, 2012.

Explanation of State Expenditures: (Revised) *Sexual Misconduct by a Service Provider* – The additional costs from this provision should be minimal. Offenders who are sentenced for this crime are currently not required to register in the Sex Offender Registry. These offenders would now be required to register once they are released from prison. In CY 2011, four offenders were committed for sexual misconduct by a service provider.

(Revised) *Interim Study Topic* - A study of sexual battery could likely be accomplished within an interim study committee's budget.

Explanation of State Revenues:

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected: Department of Correction.

Local Agencies Affected: County sheriff.

Information Sources: Indiana Sheriffs' Association, Department of Correction.

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