

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 7350

BILL NUMBER: HB 1356

NOTE PREPARED: Jan 15, 2013

BILL AMENDED:

SUBJECT: Credit Time for Child Molesters.

FIRST AUTHOR: Rep. Kubacki

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: **GENERAL**
 DEDICATED
 FEDERAL

IMPACT: State

Summary of Legislation: This bill provides that a person convicted of child molesting involving intercourse or deviate sexual conduct is not eligible to earn "good time" credit. It also makes conforming amendments.

Effective Date: July 1, 2013.

Explanation of State Expenditures: This bill is estimated to begin to increase the Department of Corrections's (DOC) facility population in 2031 when new Class A offenders who are currently assigned to Credit Class I remain in DOC facilities until 2048 and offenders who are assigned to Credit Class IV remain in DOC facilities from 2041 to 2056. *The added offenders is estimated to peak at 1,600 in 2056.*

LSA assumes that this bill will have no effect on offenders who have already been convicted of child molesting and committed to DOC before June 30, 2013. Consequently, any population increase due to this bill would begin for offenders who are sentenced beginning July 1, 2013.

LSA used the average annual commitments for Class A child molesting between FY 2008 and FY 2012 for the number of offenders who could be committed each year. The average sentence for Class A child molesters who were committed in CY 2011 and CY 2012 and their projected release dates were used to estimate their possible length of stay under current law.

Under IC 35-50-6-3, a person assigned to Class I earns one day of credit time for each day the person is imprisoned for a crime or confined awaiting trial or sentencing. A person assigned to Class IV earns one day of credit time for every six days the person is imprisoned for a crime or confined awaiting trial or sentencing.

Class A Felony Child Molesters							
Credit Class	Avg Commits 2008 - 2012	Average Sentence	Length of Stay	Added	Date of Sentence	Current Release Year	New Release Year
Class IV Offenders	21	37.1	27.5	9.6	2013	2041	2056
Class I Offenders	73	30.2	18.1	12.1	2013	2031	2048

Explanation of State Revenues:

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected: Department of Correction.

Local Agencies Affected:

Information Sources: DOC Offender Information System.

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