

SENATE BILL NO. 47

BY SENATOR CROWE

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AN ACT

To amend and reenact Code of Criminal Procedure Article 895.1(F), relative to fees paid as a condition of probation; to provide for the allocation and use of fees credited to the Sex Offender Registry Technology Fund; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Code of Criminal Procedure Article 895.1(F) is hereby amended and reenacted to read as follows:

Art. 895.1. Probation; restitution; judgment for restitution; fees

* * *

F. When the court places the defendant on supervised probation, it shall order as a condition of probation the payment of a monthly fee of not less than five dollars and fifty cents. The monthly fee established in this Paragraph shall be in addition to the fee established in Paragraph C of this Article and shall be ~~paid~~, collected, by the Department of Public Safety and Corrections and shall be transmitted, deposited, appropriated, and used in accordance with the following provisions:

~~(1) The monthly fee established in this Paragraph shall be paid to the Department of Public Safety and Corrections.~~

~~(2)~~ (1) The monthly fee established in this Paragraph shall be deposited immediately upon receipt in the state treasury.

~~(3)~~ (2) After compliance with the requirements of Article VII, Section 9(B) of the Constitution of Louisiana relative to the Bond Security and Redemption Fund, and prior to monies being placed in the state general fund, an amount equal to that deposited as required by Subparagraph ~~(2)~~ (1) of this Paragraph shall be credited to a special fund which is hereby created in the state treasury to be known

1 as the "Sex Offender Registry Technology Fund". The monies in this fund shall be
2 used solely as provided in Subparagraph ~~(4)~~ (3) of this Paragraph and only
3 in the amounts appropriated by the legislature.

4 ~~(4)~~ (3) The monies in the Sex Offender Registry Technology Fund shall be
5 appropriated as follows:

6 (a) For Fiscal Year 2006-2007, the amount of one hundred ninety thousand
7 dollars to the Department of Public Safety and Corrections, office of state police, to
8 be used in the administration of programs for the registration of sex offenders in
9 compliance with federal and state laws, and support of community notification
10 efforts by local law enforcement agencies. For Fiscal Years 2007-2008 ~~and thereafter~~
11 through 2009-2010, the amount to be appropriated under this Subparagraph shall be
12 twenty-five thousand dollars. For Fiscal Years 2010-2011, and thereafter, the
13 amount to be appropriated to the Department of Public Safety and Corrections,
14 office of state police, shall be twenty-five thousand dollars for the purposes of
15 maintaining and administering the programs for the registration of sex
16 offenders pursuant to this Subparagraph.

17 (b) For Fiscal Year ~~2006-2007~~ 2010-2011 and each year thereafter, an
18 amount equal to fifteen percent of the total residual monies available for
19 appropriation from the fund ~~after satisfying the requirements of Subparagraph (a) of~~
20 ~~this Paragraph~~ shall be appropriated to the Department of Public Safety and
21 Corrections, office of adult services, division of probation and parole.

22 (c) For Fiscal Year 2010-2011, and thereafter, residual monies available
23 for appropriation after satisfying the requirements of Subsubparagraphs (a)
24 and (b) of this Subparagraph shall be appropriated to the Department of
25 Justice, office of the attorney general. Of that residual amount, one hundred
26 fifty thousand dollars shall be allocated to the office of the attorney general of
27 which fifty thousand dollars shall be allocated for personnel and other costs to
28 assist and monitor sheriff participation in utilization of the computer system,
29 and one hundred thousand dollars of which shall be allocated to the cost of
30 maintenance of the computer system which shall interface with the computer

1 systems of the sheriffs of the parishes for registration of sex offenders.

2 (e) (d) ~~For Fiscal Year 2006-2007, residual monies available for~~
3 ~~appropriation after satisfying the requirements of Subparagraphs (a) and (b) of this~~
4 ~~Paragraph shall be appropriated to the Department of Public Safety and Corrections,~~
5 ~~office of state police, for distribution to the sheriff of each parish, based on the~~
6 ~~population of convicted sex offenders, sexually violent predators, and child predators~~
7 ~~residing in the respective parish according to the State Sex Offender and Child~~
8 ~~Predator Public Registry. Such population data shall be as compiled and certified by~~
9 ~~the undersecretary of the Department of Public Safety and Corrections on the first~~
10 ~~day of June. The office of state police shall make these distributions to the recipient~~
11 ~~sheriffs no later than June fifteenth. For Fiscal Years 2007-2008 and thereafter,~~
12 ~~residual monies available for appropriation after satisfying the requirements of~~
13 ~~Subparagraphs (a) and (b) of this Paragraph shall be appropriated to the Department~~
14 ~~of Justice, office of the attorney general. Of such residual monies, for Fiscal Year~~
15 ~~2007-2008, the amount of two hundred thousand dollars shall be allocated to the~~
16 ~~office of the attorney general to facilitate the acquisition, implementation, and~~
17 ~~support of a computer system for the sheriff of each parish to monitor and track~~
18 ~~convicted sex offenders, sexually violent predators, and child predators residing in~~
19 ~~such parish according to the State Sex Offender and Child Predator Registry. For~~
20 ~~Fiscal Years 2008-2009 and thereafter, the amount of one hundred fifty thousand~~
21 ~~dollars shall be allocated to the office of the attorney general of which fifty thousand~~
22 ~~dollars shall be allocated for personnel and other costs to assist and monitor sheriff~~
23 ~~participation in utilization of the computer system, and one hundred thousand dollars~~
24 ~~of which shall be allocated to the cost of maintenance of the computer system. The~~
25 After providing for the allocations in Subsubparagraphs (a), (b) and (c) of this
26 Subparagraph, the remainder of the residual monies shall be distributed in the Sex
27 Offender Registry Technology Fund shall, pursuant to an appropriation to the
28 office of the attorney general, be distributed to the sheriff of each parish, based
29 on the population of convicted sex offenders, sexually violent predators, and child
30 predators who are residing in the parish and who are active sex offender

1 ~~registrants or active child predator registrants~~ in the respective parishes
2 according to the State Sex Offender and Child Predator Registry. ~~Such~~ **These** funds
3 shall be used to cover the costs associated with sex offender registration and
4 compliance. ~~Such population~~ **Population** data **necessary to implement the**
5 **provisions of this Subparagraph** shall be as compiled and certified by the
6 undersecretary of the Department of Public Safety and Corrections on the first day
7 of June **of each year**. ~~The~~ **No later than June fifteenth of each year, the** office of
8 the attorney general shall make these distributions, **which are based on the data**
9 **certified by the undersecretary of the Department of Public Safety and**
10 **Corrections,** to the recipient sheriffs ~~no later than June fifteenth~~ **who are actively**
11 **registering offenders pursuant to this Paragraph.**

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____