

# OFFICE OF FISCAL ANALYSIS

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sSB-691

AN ACT CONCERNING ERASURE OF CERTAIN MISDEMEANOR  
CRIMINAL RECORDS AND EXPEDITED PARDONS REVIEW FOR  
CERTAIN FELONY OFFENSES.

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## ***OFA Fiscal Note***

### ***State Impact:***

Agency Affected	Fund-Effect	FY 20 \$	FY 21 \$
Judicial Dept.	GF - Cost	2.3 million	1.9 million
Criminal Justice, Div.	GF - Cost	680,000	956,000
State Comptroller - Fringe Benefits <sup>1</sup>	GF - Cost	1.2 million	1.2 million

Note: GF=General Fund

***Municipal Impact:*** None

### ***Explanation***

The bill requires automatic erasure of criminal records for specified misdemeanors and decriminalized offenses and results in a cost of \$3.3 million in FY 20 and \$2.8 million in FY 21 to the Judicial Department (JUD) and Office of the State Comptroller (OSC) for salary and fringe benefits and \$1 million in FY 20 and \$1.4 million in FY 21 to the Division of Criminal Justice (DCJ) and OSC.

There are currently over 1 million past convictions (approximately 350,000 defendants) that would meet provisions of the bill for erasure. In addition, there are over 400,000 current/pending convictions (approximately 130,000 defendants) that will require monitoring and

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<sup>1</sup>The fringe benefit costs for most state employees are budgeted centrally in accounts administered by the Comptroller. The estimated active employee fringe benefit cost associated with most personnel changes is 41.19% of payroll in FY 20 and FY 21.

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erasure annually.

It is anticipated that both JUD and DCJ will require additional staff to carry out the provisions of the bill. As the bill requires automatic erasure upon sentence completion, the estimated cost assumes all past criminal conviction erasure will be completed within 12 months of bill's effective date.

JUD will require approximately 30 temporary positions to comply with past convictions and both JUD and DCJ will require an additional 20 positions (one for each courthouse location) for ongoing erasure.

In addition, JUD will require monitoring of all current/pending cases by five court planners to ensure, when specific conditions are met, staff at JUD and DCJ are notified for erasure.

### ***The Out Years***

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.