

BDR 14-84 SB 453

UNSOLICITED EXECUTIVE AGENCY FISCAL NOTE

AGENCY'S ESTIMATES

Date Prepared: April 11, 2017

Agency Submitting: Department of Public Safety, General Services

Items of Revenue or Expense, or Both	Fiscal Year 2016-17	Fiscal Year 2017-18	Fiscal Year 2018-19	Effect on Future Biennia
Total	0	0	0	0

Explanation

(Use Additional Sheets of Attachments, if required)

BDR 14-84 (SB453) Section 1 of this bill allows a person who has been given a dishonorable discharge, if he/she meets the requirements pursuant to NRS 179.245, to apply to the court to seal their records. Section 13 of this bill requires an agency of criminal justice to remove any records of conviction for a category E felony offense and a gross misdemeanor offense for which the date of release from actual custody or discharge from parole or probation, whichever occurred later, was 10 or more years before the date of dissemination. Furthermore, a conviction of a misdemeanor for which the date of release from actual custody or the date on which the person was no longer under a suspended sentence, whichever occurred later, was 5 or more years before the date of dissemination. This will be a manual process for the Department of Public Safety (DPS), General Services Division (GSD) staff to reach out to the respective detention center or Division of Parole and Probation to request the date of release prior to the dissemination of the record, a labor intensive process. Both Sections 1 and 13 will cause an increase in criminal record seal orders to be processed by the Nevada DPS, GSD staff. Absent a caseload that would result from enactment of this bill, a fiscal impact cannot be determined. GSD requests to return to the Nevada Legislature's Interim Finance Committee in the 2017-2019 biennium should workload increases necessitate additional staffing. Currently, the GSD Central Repository's computerized criminal history system doesn't capture release information or discharge from parole or probation. Therefore, the system would require programming modifications performed by Enterprise Information Technology Services (EITS). EITS has provided an estimate to GSD in the amount of \$30,983. An estimate to the fiscal impact of this change cannot be determined due to the significant uncertainty of the various parameters.

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