

**LEGISLATIVE SERVICES AGENCY  
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

301 State House  
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**FISCAL IMPACT STATEMENT**

**LS 6353**  
**BILL NUMBER: HB 1011**

**DATE PREPARED:** Feb 28, 2000  
**BILL AMENDED:** Feb 28, 2000

**SUBJECT:** Bias crimes.

**FISCAL ANALYST:** Mark Goodpaster  
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**FUNDS AFFECTED:**  **GENERAL**  
 **DEDICATED**  
**FEDERAL**

**IMPACT:** State & Local

**Summary of Legislation:** (Amended)(A) This bill defines a bias crime as an offense in which the person who committed the offense knowingly or intentionally selected the person injured or damaged or otherwise affected property: (1) because of the color, creed, disability, national origin, race, religion, or sexual orientation of the injured person or of the owner or occupant of the affected property; or (2) because the injured person or owner or occupant of the affected property was associated with any other recognizable group or affiliation.

(B) It requires law enforcement agencies to collect and report information concerning bias crimes in the manner and form prescribed by the State Police Department.

(C) It requires the Indiana Central Repository for Criminal History information to submit a compiled report of this information to each law enforcement agency and the Legislative Council.

**Effective Date:** July 1, 2000.

**Explanation of State Expenditures:** (Revised) (C) This provision may require the addition of a PAT III data entry person and computer equipment to process information submitted to the State Police (which operates the Indiana Central Repository for Criminal History Information). Estimated costs would be \$37,206 in FY 2001 and \$36,881 in FY 2002. Approximately \$600 annually may also be needed for mailing costs.

The funds and resources required above could be supplied through a variety of sources, including the following: (1) Existing staff and resources not currently being used to capacity; (2) Existing staff and resources currently being used in another program; (3) Authorized, but vacant, staff positions, including those positions that would need to be reclassified; (4) Funds that, otherwise, would be reverted; or (5) New appropriations. There are currently 203 vacancies within the State Police from which a new data entry position could be filled. Ultimately, the source of funds and resources required to satisfy the requirements

of this bill will depend upon legislative and administrative actions. Funding for the Indiana State Police originates from the state General Fund and the Motor Vehicle Highway Fund.

**Explanation of State Revenues:**

**Explanation of Local Expenditures:** (Revised) (B) This provision increases the time that local law enforcement agencies may need to spend in preparing reports to be submitted to the State Police. Local agencies would be required to determine whether the crime was alleged, whether a person was charged, and whether a conviction was obtained. In addition, local law enforcement agencies would need to determine whether bias was the primary motivation for the crime or only incidental.

*Background Information:* Between 1995 and 1998, the number of hate crimes reported to the Federal Bureau of Investigation by local law enforcement agencies in Indiana increased from 35 to 50. The total population served by these law enforcement agencies was 56% of the total state population in 1995 and 63% of the entire state population in 1998. Based on this information, it is estimated that the number of hate crimes for the entire state was 79 in 1998.

**Explanation of Local Revenues:**

**State Agencies Affected:** State Police, Department of Correction, Legislative Council.

**Local Agencies Affected:** Trial courts, local law enforcement agencies.

**Information Sources:** Department of Correction; Indiana Sheriffs Association; State Manning Table, August 31, 1999; Les Miller, Indiana State Police; Federal Bureau of Investigation Uniform Crime Reports, 1995 and 1998.