



**CONGRESSIONAL BUDGET OFFICE
COST ESTIMATE**

September 7, 2001

S. 625

Local Law Enforcement Enhancement Act of 2001

As reported by the Senate Committee on the Judiciary on July 26, 2001

SUMMARY

S. 625 would establish certain hate crimes as new federal offenses and would direct the U.S. Sentencing Commission to consider increasing prison sentences for certain hate crimes involving juveniles. The bill also would authorize the appropriation of:

- \$5 million for each of fiscal years 2002 and 2003 for the Department of Justice (DOJ) to make grants to state and local governments to investigate and prosecute hate crimes;
- Such sums as may be necessary for DOJ to make grants to state and local governments to combat juvenile hate crimes; and
- Such sums as may be necessary for fiscal years 2002 through 2004 for additional personnel in DOJ and the Department of the Treasury to prevent, investigate, and prosecute hate crimes.

Assuming appropriation of the authorized and estimated amounts, CBO estimates that implementing S. 625 would cost \$20 million over the 2002-2006 period. This legislation could affect direct spending and receipts; therefore, pay-as-you-go procedures would apply.

S. 625 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would benefit state, local, and tribal governments. The bill would establish grant programs and authorize the Attorney General to provide assistance to combat hat crimes. Any costs incurred by these governments would be the result of complying with grant conditions and would be voluntary.

ESTIMATED COST TO THE FEDERAL GOVERNMENT

The estimated budgetary impact of S. 625 is shown in the following table. The costs of this legislation fall within budget function 750 (administration of justice).

	By Fiscal Year, in Millions of Dollars				
	2002	2003	2004	2005	2006
CHANGES IN SPENDING SUBJECT TO APPROPRIATION					
Estimated Authorization Level	10	10	a	0	0
Estimated Outlays	2	7	7	4	0

a. Less than \$500,00.

BASIS OF ESTIMATE

Based on information from the Department of Justice, CBO assumes that the bill's authorization for grants to combat juvenile hate crimes would cost an additional \$5 million for each of fiscal years 2002 and 2003—the same amount that the bill would authorize for grants to state and local governments to combat hate crimes. We assume that the necessary amounts will be appropriated by the start of each fiscal year and that outlays will follow the historical rates for similar grant programs.

Based on information from the U.S. Sentencing Commission, CBO expects that the new federal hate crimes established by the bill would apply to well under 50 cases annually. Thus, any increase in costs to DOJ, the Department of the Treasury, and the federal judiciary for law enforcement, court proceedings, or prison operations would be less than \$500,000 annually, subject to the availability of appropriated funds.

Because those prosecuted and convicted under S. 625 could be subject to criminal fines, the federal government might collect additional fines if the legislation is enacted. Collections of such fines are recorded in the budget as governmental receipts (revenues), which are deposited in the Crime Victims Fund and later spent. CBO expects that any additional receipts and direct spending would be negligible because of the small number of cases involved.

PAY-AS-YOU-GO CONSIDERATIONS

The Balanced Budget and Emergency Deficit Control Act specifies pay-as-you-go procedures for legislation affecting direct spending and receipts. These procedures would apply to S. 625 because it would affect both direct spending and receipts, but CBO estimates that the annual amount of such changes would not be significant.

ESTIMATED IMPACT ON STATE, LOCAL, AND TRIBAL GOVERNMENTS

S. 625 contains no intergovernmental mandates as defined in UMRA and would benefit state, local, and tribal governments. The bill would authorize the Attorney General to provide assistance to state and tribal governments in investigating and prosecuting hate crimes. The bill would authorize the Attorney General to award \$5 million in each of fiscal years 2002 and 2003 to state, local, and tribal governments to defray up to \$100,000 of the costs associated with investigating and prosecuting a hate crime. It also would authorize grants to be awarded to state and local governments with programs to combat juvenile hate crimes. Any costs incurred by state, local, or tribal governments would be the result of complying with grant conditions and would be voluntary.

ESTIMATED IMPACT ON THE PRIVATE SECTOR

S. 625 contains no private-sector mandates as defined in UMRA.

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