



## CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

May 19, 2016

### **S. 2613**

#### **Adam Walsh Reauthorization Act of 2016**

*As reported by the Senate Committee on the Judiciary on April 14, 2016*

#### **SUMMARY**

S. 2613 would authorize the appropriation of about \$81 million annually over the 2017-2018 period for Department of Justice (DOJ) activities related to the registration of sex offenders. Assuming appropriation of the authorized amounts, CBO estimates that implementing S. 2613 would cost about \$160 million over the 2017-2021 period.

The bill also would establish new direct spending programs administered by DOJ to assist the survivors of sexual assault. Because enacting the bill would affect direct spending, pay-as-you-go procedures apply; however, CBO estimates that those costs would be negligible. The legislation would not affect revenues. CBO estimates that enacting S. 2613 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2027.

S. 2613 would require law enforcement agencies to preserve evidence collected in sexual assault kits, notify sexual assault victims about procedures for preserving such evidence, and provide victims with the results from evidence testing. The bill also would prohibit agencies from charging sexual assault survivors for a medical forensic examination. Those requirements would be intergovernmental mandates as defined in the Unfunded Mandate Reform Act (UMRA), but CBO estimates that the costs of the mandates would fall well below the intergovernmental threshold established in UMRA (\$77 million in 2016, adjusted annually for inflation). The bill contains no private-sector mandates as defined in UMRA.

#### **ESTIMATED COST TO THE FEDERAL GOVERNMENT**

The estimated budgetary impact of S. 2613 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					2017- 2021
	2017	2018	2019	2020	2021	
<b>INCREASES IN SPENDING SUBJECT TO APPROPRIATION</b>						
Authorization Level	81	81	0	0	0	163
Estimated Outlays	57	69	19	10	6	161

Note: Components may not sum to totals because of rounding.

## **BASIS OF ESTIMATE**

For this estimate, CBO assumes that the bill will be enacted by the end of 2016 the authorized amounts will be appropriated each year, and outlays will follow the historical rate of spending for the programs authorized by the legislation. Specifically the bill would:

- Authorize the appropriation of \$20 million for 2017 and 2018 for DOJ programs to assist state and local governments with registering and monitoring sex offenders, and
- Authorize the appropriation of \$61.3 million for 2017 and 2018 for the U.S. Marshals Service to help local authorities locate and apprehend sex offenders who do not comply with the registration requirements.

## **PAY-AS-YOU-GO CONSIDERATIONS:**

The Statutory Pay-As-You-Go Act of 2010 establishes budget-reporting and enforcement procedures for legislation affecting direct spending and revenues. S. 2613 would establish new programs to assist the survivors of sexual assault and would authorize the Crime Victims Fund to cover most of those new programs. CBO projects that all balances and new deposits into the Crime Victims Fund will be spent under current law; thus, enacting the bill would not significantly affect outlays from the fund in any year from 2016 through 2026 or over the 10-year period in total.

## **INCREASE IN LONG-TERM DIRECT SPENDING AND DEFICITS**

CBO estimates that enacting S. 2613 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2027.

## **ESTIMATED IMPACT ON STATE, LOCAL, AND TRIBAL GOVERNMENTS**

S. 2613 would require law enforcement agencies to preserve evidence collected in sexual assault kits and notify sexual assault victims about procedures for preserving such evidence, and provide victims with the results from evidence testing. The bill would require law enforcement agencies to preserve sexual assault kits for the maximum applicable statute of limitation or 20 years, whichever is shorter. Most law enforcement agencies retain sexual assault kits for 20 years or longer, and storage costs are inexpensive. Consequently, CBO estimates that the cost of the mandate would be small.

The bill also would prohibit agencies from charging a sexual assault survivor for a medical forensic examination. The Violence Against Women Reauthorization Act of 2013 placed a condition on funds for the Services Training Officers Prosecutors (STOP) Formula Grant Program that requires states, territories, and local governments to incur the full out-of-pocket cost of forensic medical exams for victims of sexual assault. Because all 50 states, five territories, and the District of Columbia receive STOP grants, CBO estimates that state, local, and tribal governments would incur negligible costs to comply with the mandate. CBO estimates that the aggregate costs of the mandates in the bill would fall well below the intergovernmental threshold established in UMRA (\$77 million in 2016, adjusted annually for inflation).

Finally, states would benefit from the grants in the bill to inform sexual assault survivors about their rights. State and local governments also would benefit from the reauthorization of grants for verifying the residence locations of registered sex offenders. Any costs to state or local governments would result from complying with conditions of assistance.

## **ESTIMATED IMPACT ON THE PRIVATE SECTOR**

S. 2613 contains no private-sector mandates as defined in UMRA.

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