

Fiscal Estimate - 2001 Session

Original Updated Corrected Supplemental

LRB Number 01-0670/1		Introduction Number AB-291	
Subject Statute of limitations for sexual assault and postconviction relief based on DNA testing			
Fiscal Effect			
State:			
<input type="checkbox"/> No State Fiscal Effect			
<input checked="" type="checkbox"/> Indeterminate			
<input type="checkbox"/> Increase Existing Appropriations		<input type="checkbox"/> Increase Existing Revenues	
<input type="checkbox"/> Decrease Existing Appropriations		<input type="checkbox"/> Decrease Existing Revenues	
<input type="checkbox"/> Create New Appropriations		<input type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget	
		<input type="checkbox"/> Yes <input type="checkbox"/> No	
		<input type="checkbox"/> Decrease Costs	
Local:			
<input type="checkbox"/> No Local Government Costs			
<input checked="" type="checkbox"/> Indeterminate			
1. <input type="checkbox"/> Increase Costs		3. <input type="checkbox"/> Increase Revenue	
<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory		<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	
2. <input type="checkbox"/> Decrease Costs		4. <input type="checkbox"/> Decrease Revenue	
<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory		<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	
5. Types of Local Government Units Affected			
<input type="checkbox"/> Towns		<input type="checkbox"/> Village	
<input type="checkbox"/> Counties		<input type="checkbox"/> Others	
<input type="checkbox"/> School Districts		<input type="checkbox"/> WTCS Districts	
<input type="checkbox"/> Cities			
Fund Sources Affected		Affected Ch. 20 Appropriations	
<input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS			
Agency/Prepared By		Authorized Signature	
DOJ/ JoAnna Richard (608) 267-1932		JoAnna Richard (608) 267-1932	
		Date	
		4/17/01	

Fiscal Estimate Narratives

DOJ 4/18/01

LRB Number	01-0670/1	Introduction Number	AB-291	Estimate Type	Original
Subject					
Statute of limitations for sexual assault and postconviction relief based on DNA testing					

Assumptions Used in Arriving at Fiscal Estimate

This bill make two primaries changes to statc law. It removes the statute of limitations for sexual assault cases where DNA evidence is present for a specified time period and it creates a post conviction DNA testing procedure. The department believe this bill could have a significant fiscal impact on the crime lab DNA testing sections if it is utilized by defendants on a regular basis. However, it is indeterminable how this new testing will be utilized by defendants. The new statute, 974.07 provides for postconviction testing and 974.07(8) authorizes the trial court to order the crime lab to do the testing. The statute also creates new retention of evidence requirements that will impact either the lab or the submitting law enforcement agencies. Again, it is difficult to determine how many cases have the type of scenario that would merit such a procedure being ordered by the courts.

In order to prepare for the possible retention of material, especially material that has not been tested with the most updated DNA technology, the Crime Labs estimate that they will need at least 2 additional storage freezers, one at Milwaukee and one at Madison. Technical changes to the legislation may clear up the question of what material must be retained and when the materials may be discarded. If not clarified, it may be necessary to purchase even more storage units and maintain additional material that is not currently retained by the labs.

It may also be necessary for the larger law enforcement agencies to expand their evidence space if a broader interpretation is given to the definition. If narrowly interpreted, most agencies should be able to accommodate this change.

Long-Range Fiscal Implications

Fiscal Estimate Worksheet - 2001 Session

Detailed Estimate of Annual Fiscal Effect

Original
 Updated
 Corrected
 Supplemental

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Subject			
Statute of limitations for sexual assault and postconviction relief based on DNA testing			
I. One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect):			
II. Annualized Costs:		Annualized Fiscal Impact on funds from:	
		Increased Costs	Decreased Costs
A. State Costs by Category			
State Operations - Salaries and Fringes		\$	
(FTE Position Changes)			
State Operations - Other Costs		11,400	
Local Assistance			
Aids to Individuals or Organizations			
TOTAL State Costs by Category		\$11,400	\$
B. State Costs by Source of Funds			
GPR		11,400	
FED			
PRO/PRS			
SEG/SEG-S			
III. State Revenues - Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fee, etc.)			
		Increased Rev	Decreased Rev
GPR Taxes		\$	\$
GPR Earned			
FED			
PRO/PRS			
SEG/SEG-S			
TOTAL State Revenues		\$	\$
NET ANNUALIZED FISCAL IMPACT			
		State	Local
NET CHANGE IN COSTS		\$11,400	\$
NET CHANGE IN REVENUE		\$	\$
Agency/Prepared By		Authorized Signature	Date
DOJ/ JoAnna Richard (608) 267-1932		JoAnna Richard (608) 267-1932	4/17/01