Fiscal Estimate - 2005 Session

Original Updated	Corrected S	upplemental			
LRB Number 05-3330/1	Introduction Number AB-	1027			
Description Mistreatment of a child with a mental illness or a developmental disability and providing a penalty					
Fiscal Effect					
Appropriations Rev	ease Existing renues rease Existing renues To absorb within ag renues Decrease Costs	ay be possible ency's budget \B\\\			
Permissive Mandatory Pern 2. Decrease Costs 4. Decrease Costs Pern Permissive Mandatory Pern	rease Revenue School W	offected llage			
Fund Sources Affected Affected Ch. 20 Appropriations GPR FED PRO PRS SEG SEGS					
Agency/Prepared By	Authorized Signature	Date			
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Fiscal Estimate Narratives SPD 2/16/2006

LRB Number	05-3330/1	Introduction Number	AB-1027	Estimate Type	Original	
Description						
Mistreatment of a child with a mental illness or a developmental disability and providing a penalty						

Assumptions Used in Arriving at Fiscal Estimate

The State Public Defender (SPD) provides legal representation in criminal cases and other specified proceedings in which the loss of personal liberty or parental rights may occur. For adult clients, the SPD must complete a financial eligibility evaluation before appointing an attorney. SPD services are constitutionally required because in the case types handled by SPD, a defendant without the financial means to hire an attorney has the right to have an attorney appointed. Therefore, any bill that would increase the number of cases handled by SPD would increase SPD costs.

This bill creates a new criminal offense for mistreatment of a vulnerable child. Thus, SPD costs would be increased for each case in which SPD is required to appoint counsel. To the extent that charges might have been brought under another criminal statute under existing law (such as child abuse or neglect), these increased costs would be mitigated. Because of the possibility in some cases for other charges under current law, it will be difficult to determine the precise impact of the new statute, but SPD can track the number of cases under the new statute once it takes effect.

Other state and county agencies may also incur increased costs as a result of additional court proceedings and jail inmates.

Long-Range Fiscal Implications