

Fiscal Estimate Narratives

SPD 3/20/2006

LRB Number	05-4790/1	Introduction Number	AB-1126	Estimate Type	Original
Description Pointing a firearm at or towards a law enforcement officer 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 which the SPD would be required to appoint counsel. SPD cannot estimate the number of cases that would be charged under the new criminal offense, and of those, how many would meet the SPD's financial eligibility criteria, but we could track the cases after the new offenses take effect.

Counties could incur additional jail costs related to both pretrial incarceration and sentences in criminal cases.

Long-Range Fiscal Implications