## Fiscal Estimate - 2005 Session

Original Updated	Corrected Supple	emental		
LRB Number <b>05-3622/2</b>	Introduction Number SB-455	 		
<b>Description</b> Releasing persons arrested for certain offenses related to operating a vehicle while intoxicated				
State:  No State Fiscal Effect Indeterminate Increase Existing Appropriations Decrease Existing Appropriations Appropriations Create New Appropriations Increase Existing Appropriations Increase Existing Appropriations Increase Existing Appropriations Increase Existing Revenues Increase Costs - May be possible to absorb within agency's budget to absorb within agency's budget Increase Costs Increase Costs Indeterminate Increase Costs Increase Revenue Increase Costs Indeterminate Increase Costs Increase Revenue Increase Costs Indeterminate Increase Costs Indeterminate Increase Costs Indeterminate Increase Costs Indeterminate Increase Costs Increase Costs Increase Costs Indeterminate Increase Costs Indeter				
Fund Sources Affected Affected Ch. 20 Appropriations  GPR FED PRO PRS SEG SEGS				
Agency/Prepared By	Authorized Signature	Date		
DOC/ Elaine Velez (608) 240-5413	Robert Margolies (608) 240-5056	1/3/2006		

## Fiscal Estimate Narratives DOC 1/3/2006

LRB Number <b>05-3622/2</b>	Introduction Number SB-455	Estimate Type	Original	
Description				
Releasing persons arrested for certain offenses related to operating a vehicle while intoxicated				

## **Assumptions Used in Arriving at Fiscal Estimate**

Under current law, a person arrested for certain offenses related to driving a vehicle under the influence of an intoxicant or with a prohibited alcohol concentration may not be released from police custody until 12 hours have elapsed from the time of his or her arrest or unless a chemical test shows that the person has an alcohol concentration of less than 0.04 except that the person may be released to his or her attorney, spouse, relative, or other responsible adult at any time after arrest.

Under this bill, a person may be released to his or her attorney, spouse, relative, or other responsible adult if the attorney, spouse, relative, or other responsible adult accepts legal responsibility for the actions of the arrested person for 12 hours after the time the person was arrested. In addition, this bill requires a law enforcement officer to seize or immobilize the vehicle used in the incident that gave rise to the arrest for 12 hours, except that if the vehicle is the only vehicle owned or leased by any member of the arrested person's household, the officer may release the vehicle to a member of the household.

This bill will not have an effect on the WI Department of Corrections.

The local fiscal impact cannot be determined.

**Long-Range Fiscal Implications**