

Fiscal Estimate - 2007 Session

Original Updated Corrected Supplemental

LRB Number 07-1670/1		Introduction Number AB-0678	
Description Collection of fines and forfeitures by counties			
Fiscal Effect			
State:			
<input type="checkbox"/> No State Fiscal Effect		<input type="checkbox"/> Increase Existing Revenues	
<input checked="" type="checkbox"/> Indeterminate		<input checked="" type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget	
<input type="checkbox"/> Increase Existing Appropriations		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/> Decrease Existing Appropriations		<input type="checkbox"/> Decrease Costs	
<input type="checkbox"/> Create New Appropriations			
Local:			
<input type="checkbox"/> No Local Government Costs		5.Types of Local Government Units Affected	
<input checked="" type="checkbox"/> Indeterminate		<input type="checkbox"/> Towns <input type="checkbox"/> Village <input type="checkbox"/> Cities	
1. <input type="checkbox"/> Increase Costs		<input checked="" type="checkbox"/> Counties	
<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory		<input type="checkbox"/> Others	
2. <input type="checkbox"/> Decrease Costs		<input type="checkbox"/> School Districts	
<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory		<input type="checkbox"/> WTCS Districts	
3. <input checked="" type="checkbox"/> Increase Revenue			
<input type="checkbox"/> Permissive <input checked="" type="checkbox"/> Mandatory			
4. <input type="checkbox"/> Decrease Revenue			
<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory			
Fund Sources Affected		Affected Ch. 20 Appropriations	
<input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input checked="" type="checkbox"/> SEG <input type="checkbox"/> SEGS			
Agency/Prepared By		Authorized Signature	
CTS/ Nancy Rottier (608) 267-9733		Nancy Rottier (608) 267-9733	
		Date	
		2/23/2008	

Fiscal Estimate Narratives

CTS 2/23/2008

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Description Collection of fines and forfeitures by counties					

Assumptions Used in Arriving at Fiscal Estimate

This bill allows counties to keep 20% of fines and forfeitures that are unrelated to transportation ordinance violations (those imposed under chapters 341-347, 349 and 351). The bill would also allow counties to retain 30% of fines and forfeitures that were imposed more than 180 days before the effective date of the act and were collected in the first year after the effective date of the act.

For the fines and forfeitures covered by the bill, primarily criminal fines and non-traffic forfeitures, the county treasurer currently pays 90% to the state and retains 10% for the county as an administrative fee. The bill does not apply to transportation ordinance violations (those imposed under chapters 341-347, 349 and 351); those fines and forfeitures are split 50% to the state and 50% to the county.

Under Article X, Section 2 of the Wisconsin Constitution, the state's proceeds from these fines and forfeitures are paid into the common school fund.

This bill will result in revenue loss for the state and an equal revenue gain for the counties. The revenue amounts vary from year to year. In recent years, the amounts collected have been as follows:

2004: Total: \$9,722,222
County portion: \$972,222

2005: Total: \$10,575,914
County portion: \$1,057,591

2006: Total: \$9,132,715
County portion: \$913,270

2007: Total: \$8,850,639
County portion: \$885,063

Four-year average: Total: \$9,570,373
County portion: \$957,037

Under this bill, using the four-year average, the revenue loss to the state would be \$957,037 and the revenue gain to the counties would be an equal amount.

The bill also allows a higher percentage (30%) of fines and forfeitures to be retained by the counties during the first year after this bill goes into effect for those debts that are more than 180 days old when the bill goes into effect. It is impossible to predict the exact fiscal impact of this provision of the bill. There is no reliable data available to estimate what percentage of outstanding fines and forfeitures would be subject to this provision and what amounts might be collected within the year after the bill goes into effect.

In order to implement this bill, programming changes would be required of the financial management components of the Consolidated Court Automation Programs (CCAP) computer system. Seventy-one of the 72 counties use CCAP to record the amounts due and the collection of fines and forfeitures. Particular programming changes would be needed to track payments on those debts older than 180 days that would be subject to the 30% retention by the counties.

Long-Range Fiscal Implications