

Fiscal Estimate - 2009 Session

Original
 Updated
 Corrected
 Supplemental

LRB Number 09-4126/1	Introduction Number SB-551
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Description
 Distribution or delivery of a controlled substance or controlled substance analog in the presence of a child and providing a penalty

Fiscal Effect

State:

No State Fiscal Effect
 Indeterminate

<input type="checkbox"/> Increase Existing Appropriations	<input type="checkbox"/> Increase Existing Revenues	<input type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget
<input type="checkbox"/> Decrease Existing Appropriations	<input type="checkbox"/> Decrease Existing Revenues	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Create New Appropriations		<input type="checkbox"/> Decrease Costs

Local:

No Local Government Costs
 Indeterminate

1. <input type="checkbox"/> Increase Costs	3. <input type="checkbox"/> Increase Revenue	5. Types of Local Government Units Affected <input type="checkbox"/> Towns <input type="checkbox"/> Village <input type="checkbox"/> Cities <input type="checkbox"/> Counties <input type="checkbox"/> Others <input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts
<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	

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 DOC/ Cathy Halpin (608) 240-5538	Authorized Signature Roland Couey (608) 240-5405	Date 2/26/2010
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Fiscal Estimate Narratives

DOC 2/26/2010

LRB Number	09-4126/1	Introduction Number	SB-551	Estimate Type	Original
Description Distribution or delivery of a controlled substance or controlled substance analog in the presence of a child and providing a penalty					

Assumptions Used in Arriving at Fiscal Estimate

Currently, a person who is convicted of distributing or delivering a controlled substance or controlled substance analog is guilty of a felony, penalties for which vary depending upon the substance or substance analog. This bill increases the maximum imprisonment portion of the penalty by five years, if the offense is committed in the presence of a child who is no more than ten years old.

A total of 1,494 offenders were admitted to prison with a drug related governing offense during FY2008. The Department can not estimate how many of these offenders are already sentenced to the maximum incarceration term or how many will be imprisoned for up to five additional years, for having committed their crime in the presence of a child.

The average FY09 annual cost for an inmate in a DOC institution is approximately \$31,800. However, when there is excess capacity in DOC facilities, the incremental costs (i.e. food, health care and clothing) of housing a small number of inmates is approximately \$4,900, based on FY09 costs. When there is no excess capacity in DOC facilities, as is currently the case, the Department uses contract beds at a rate of \$18,800 annually, per person.

There are no changes to local jail costs.

Long-Range Fiscal Implications