

Fiscal Estimate - 2011 Session

Original
 Updated
 Corrected
 Supplemental

LRB Number 11-2469/2	Introduction Number AB-0284
Description Relating to: eliminating the right to refuse probation	
Fiscal Effect	
State:	
<input type="checkbox"/> No State Fiscal Effect <input checked="" type="checkbox"/> Indeterminate	
<input type="checkbox"/> Increase Existing Appropriations <input type="checkbox"/> Decrease Existing Appropriations <input type="checkbox"/> Create New Appropriations	<input type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Decrease Existing Revenues
<input type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Decrease Costs	
Local:	
<input type="checkbox"/> No Local Government Costs <input checked="" type="checkbox"/> Indeterminate	
1. <input type="checkbox"/> Increase Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 2. <input type="checkbox"/> Decrease Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	3. <input type="checkbox"/> Increase Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 4. <input type="checkbox"/> Decrease Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory
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	
Fund Sources Affected	
<input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS	
Affected Ch. 20 Appropriations	
Agency/Prepared By	Authorized Signature
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Date	
10/10/2011	

Fiscal Estimate Narratives

DA 10/10/2011

LRB Number	11-2469/2	Introduction Number	AB-0284	Estimate Type	Original
Description Relating to: eliminating the right to refuse probation					

Assumptions Used in Arriving at Fiscal Estimate

Under current law, in most cases when a person is convicted of committing a crime, the judge may withhold the person's sentence or impose a sentence but stay its execution and place the person on probation. The probation may require compliance with conditions of probation (e.g. - alcohol or other drug treatment; paying restitution; etc.). A Wisconsin Supreme Court ruling held that a person has a right to refuse probation and elect to be imprisoned.

This bill would not allow a person to refuse probation nor any condition of probation.

District Attorneys (DAs) anticipate that this bill will create additional work for prosecutors because it will mean many more argued sentencings and probation revocations. DAs found it difficult to quantify the additional cost to the DA program because there are so many variables that are specific to each defendant. Due to the difficulty of projecting a cost associated with this bill, the fiscal effect is indeterminate.

Long-Range Fiscal Implications

In accordance with the discussion above, a long-term fiscal impact on DA offices is indeterminate.