

Fiscal Estimate Narratives

DA 3/14/2012

LRB Number	11-2098/2	Introduction Number	AB-0668	Estimate Type	Original
Description Terminating a tenancy for criminal activity and requiring notice to landlord of nuisance investigation by law enforcement agency					

Assumptions Used in Arriving at Fiscal Estimate

Under this bill, a resident's tenancy may be terminated if criminal activity, caused by any person, takes place in the tenant's rental unit, or if criminal activity caused by the tenant or a person associated with the tenant occurs on the property owner's rental property. Criminal activity is defined as an act or behavior that is punishable by a fine or imprisonment, or that is a violation of a county, city, village, or town ordinance in which the property is located. The owner must provide written notice of the termination of tenancy, and if contested, the property owner must prove the allegation of criminal activity. If the community has an ordinance regulating nuisances, the law enforcement agency must notify the property owner of the investigation into the alleged nuisance.

Prosecutors provided a mixed response concerning the potential fiscal effect of this bill on their offices. Some believe the bill will have no fiscal impact on their offices because the bill does not create a new crime. Others, however, believe the bill could lead to a significant increase in their workload due to a variety of reasons, including landlords' requests for police reports and other such discovery before it should properly be released (i.e. - it could affect ongoing criminal investigations), and the bill's definition of "criminal activity" could lead to statutory interpretation and challenges for future cases. Due to the variation of responses, it is impractical to estimate a fiscal effect of this bill, so the fiscal effect is indeterminate.

Long-Range Fiscal Implications

As stated above, this bill's long-term fiscal impact is indeterminate.