

Fiscal Estimate - 2017 Session

Original
 Updated
 Corrected
 Supplemental

LRB Number **17-4427/1** Introduction Number **AB-0539**

Description
 plans for supervised release of sexually violent persons, representation of sexually violent persons by the state public defender, and making an appropriation

Fiscal Effect

State:

- No State Fiscal Effect
- Indeterminate
 - Increase Existing Appropriations
 - Decrease Existing Appropriations
 - Create New Appropriations
 - Increase Existing Revenues
 - Decrease Existing Revenues
 - Increase Costs - May be possible to absorb within agency's budget
 - Yes
 - No
 - Decrease Costs

Local:

- No Local Government Costs
- Indeterminate
 - 1. Increase Costs
 - Permissive Mandatory
 - 2. Decrease Costs
 - Permissive Mandatory
 - 3. Increase Revenue
 - Permissive Mandatory
 - 4. Decrease Revenue
 - Permissive Mandatory
 - 5. Types of Local Government Units Affected
 - Towns Village Cities
 - Counties Others
 - School Districts WTCS Districts

Fund Sources Affected **Affected Ch. 20 Appropriations**
 GPR FED PRO PRS SEG SEGS

Agency/Prepared By	Authorized Signature	Date
DA/ Amanda Mott (608) 261-8404	James Langdon (608) 264-6109	11/6/2017

Fiscal Estimate Narratives

DA 11/6/2017

LRB Number	17-4427/1	Introduction Number	AB-0539	Estimate Type	Original
Description plans for supervised release of sexually violent persons, representation of sexually violent persons by the state public defender, and making an appropriation					

Assumptions Used in Arriving at Fiscal Estimate

Under current law, a person who has been found to be a sexually violent person and involuntarily committed to the Department of Health Services for control, care, and treatment, may periodically petition the court for supervised release. If a court determines that supervised release is appropriate, the court must select a county (usually the person's county of residence) to prepare a report that includes prospective residential options for the person within 60 days.

Under this bill, if a court determines that supervised release is appropriate, the court must order the person's county of residence to prepare a report that identifies one appropriate residence for the person. The county must create a temporary committee to prepare the report for the county and, under this bill, the county must prepare the report within 120 days of the order. A county that does not comply violates the person's rights as a patient and the county is subject to enforcement and damages for each violation, and each day beyond the 120 days constitutes a separate violation.

One District Attorney stated this legislation would have significant impact on her county because, as the elected District Attorney, she believes law enforcement would include her in the committee drafting the mandatory report. She estimated the fiscal impact on her county at \$15,000 per year. No other responses were provided. Therefore, the fiscal impact is indeterminate.

Long-Range Fiscal Implications

The long-range fiscal implications of this legislation on district attorneys offices is indeterminate.