

### Fiscal Estimate - 2017 Session

Original     
  Updated     
  Corrected     
  Supplemental

LRB Number <b>17-1384/1</b>	Introduction Number <b>AB-0099</b>
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**Description**  
 committing a fifth or sixth offense related to operating a vehicle while intoxicated and providing a criminal penalty

**Fiscal Effect**

**State:**

No State Fiscal Effect  
 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
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**Local:**

No Local Government Costs  
 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	<b>5. Types of Local Government Units Affected</b> <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
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<b>Fund Sources Affected</b>	<b>Affected Ch. 20 Appropriations</b>
<input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS	

<b>Agency/Prepared By</b> DA/ Kasey Deiss (608) 267-2700	<b>Authorized Signature</b> James Langdon (608) 264-6109	<b>Date</b> 4/5/2017
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## Fiscal Estimate Narratives

DA 4/5/2017

LRB Number	17-1384/1	Introduction Number	AB-0099	Estimate Type	Original
<b>Description</b> committing a fifth or sixth offense related to operating a vehicle while intoxicated and providing a criminal penalty					

### Assumptions Used in Arriving at Fiscal Estimate

Under this bill, a sentencing court is required to impose a sentence for a fifth or sixth OWI offense that orders the person to spend at least 18 months confined in prison.

District Attorney offices indicate mandatory minimum sentencing may result in an increase in contested trials and fewer plea agreements. Prosecutors further indicate jury trials take a significant amount of resources in terms of pre-trial motion practice, preparation of witnesses and evidence and length of time spent in the courtroom. It is unknown how many more fifth and sixth offense OWI defendants will forego a plea agreement and elect a trial by jury. Therefore, the fiscal estimate is indeterminate.

### Long-Range Fiscal Implications

For the reasons cited above, the long-range fiscal effect is indeterminate.