

Fiscal Estimate - 2017 Session

Original
 Updated
 Corrected
 Supplemental

LRB Number 17-3806/1	Introduction Number SB-380
Description certain uses of interactive electronic devices while driving and providing a criminal penalty	
Fiscal Effect	
State: <input type="checkbox"/> No State Fiscal Effect <input checked="" type="checkbox"/> Indeterminate <div style="display: flex; justify-content: space-between;"> <div style="width: 30%;"> <input type="checkbox"/> Increase Existing Appropriations <input type="checkbox"/> Decrease Existing Appropriations <input type="checkbox"/> Create New Appropriations </div> <div style="width: 30%;"> <input type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Decrease Existing Revenues </div> <div style="width: 30%;"> <input type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget <div style="display: flex; justify-content: space-around; font-size: small;"> <input type="checkbox"/> Yes <input type="checkbox"/> No </div> <input type="checkbox"/> Decrease Costs </div> </div>	
Local: <input type="checkbox"/> No Local Government Costs <input checked="" type="checkbox"/> Indeterminate <div style="display: flex; justify-content: space-between;"> <div style="width: 30%;"> 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 </div> <div style="width: 30%;"> 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 </div> <div style="width: 30%;"> 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 </div> </div>	
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	
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Date 8/30/2017	

Fiscal Estimate Narratives

DA 8/30/2017

LRB Number	17-3806/1	Introduction Number	SB-380	Estimate Type	Original
Description certain uses of interactive electronic devices while driving and providing a criminal penalty					

Assumptions Used in Arriving at Fiscal Estimate

This bill prohibits, with certain exceptions, any person from using an interactive electronic device to enter, transmit, or access data while driving.

Current law prohibits inattentive driving of a motor vehicle. This bill expands the prohibition on composing or sending a text message while driving to prohibit the use of an interactive electronic device to enter, transmit, or access data, other than for purposes of verbal communication or reporting an emergency, while driving. The bill also increases the penalty for a violation of this provision to a forfeiture of not less than \$100 nor more than \$400. A person who violates this provision and causes the death of another person in the course of the violation is guilty of homicide by negligent operation of a vehicle, a Class G felony. The penalty for a Class G felony is a fine not to exceed \$25,000 or imprisonment not to exceed ten years, or both.

Prosecutors indicated the fiscal impact of this legislation could be wide-ranging, from making distracted drivers cases easier to prove to complicating what should be straightforward cases. A few prosecutors believe the legislation as currently drafted does not anticipate all situations involving the use of interactive electronic devices and may therefore provide opportunities for defense to argue the language is vague and unenforceable in certain situations. As a result, litigation time may increase when applicability issues are argued.

Long-Range Fiscal Implications

The long-range fiscal implications of this legislation are indeterminate.