

Fiscal Estimate - 2017 Session

Original
 Updated
 Corrected
 Supplemental

LRB Number 17-1979/1	Introduction Number SB-072	
Description committing a fifth or sixth offense related to operating a vehicle while intoxicated and providing a criminal penalty		
Fiscal Effect		
State: <input type="checkbox"/> No State Fiscal Effect <input checked="" type="checkbox"/> Indeterminate <input type="checkbox"/> Increase Existing Appropriations <input type="checkbox"/> Increase Existing Revenues <input checked="" type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget <input type="checkbox"/> Decrease Existing Appropriations <input type="checkbox"/> Decrease Existing Revenues <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Create New Appropriations <input type="checkbox"/> Decrease Costs		
Local: <input type="checkbox"/> No Local Government Costs <input checked="" type="checkbox"/> Indeterminate 1. <input type="checkbox"/> Increase Costs 3. <input type="checkbox"/> Increase Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 2. <input type="checkbox"/> Decrease Costs 4. <input type="checkbox"/> Decrease Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <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 checked="" type="checkbox"/> Counties <input type="checkbox"/> Others <input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts		
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		
Agency/Prepared By CTS/ Nancy Rottier (608) 267-9733	Authorized Signature Nancy Rottier (608) 267-9733	Date 4/5/2017

Fiscal Estimate Narratives

CTS 4/5/2017

LRB Number	17-1979/1	Introduction Number	SB-072	Estimate Type	Original
Description 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

This bill imposes a mandatory minimum period of initial confinement in prison for persons convicted of fifth or sixth offense operating while intoxicated (OWI).

This bill does not create a new category of crime and will only impact cases already being brought. It also does not create new procedures that would require additional court hearings and resources.

The requirement for increased mandatory minimum periods of initial confinement may create a greater incentive for defendants to resolve cases by trial rather than by a plea before trial. According to statistics compiled by the court system,* for calendar years 2014-2016 about 91% of fifth offense or higher OWI cases were disposed of by a plea before trial. If the requirement in this bill results in more defendants requesting resolution by trials rather than by pleas, then there could be additional court resources required. It is impossible to predict how frequently that may happen. It is expected that existing court staff would be able to absorb the costs of any additional proceedings.

This bill is very likely to result in changes to usage of county jails. Under current law, fifth or sixth offense OWI requires a minimum of 6 months of imprisonment. This bill may result in persons spending less time in county jails because that sentencing option would no longer be available. An accurate estimate of the change in costs is impossible with the data available.

*Data available at: <https://www.wicourts.gov/publications/statistics/circuit/circuitstats.htm>

Long-Range Fiscal Implications