

Fiscal Estimate - 2019 Session

Original
 Updated
 Corrected
 Supplemental

LRB Number 19-2300/1	Introduction Number SB-163
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Description
 causing bodily harm to a nurse and providing a 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	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
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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 DOC/ Peter James (608) 240-5422	Authorized Signature Paulina De Haan (608) 240-5056	Date 6/11/2019
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Fiscal Estimate Narratives

DOC 6/11/2019

LRB Number	19-2300/1	Introduction Number	SB-163	Estimate Type	Original
Description causing bodily harm to a nurse and providing a penalty					

Assumptions Used in Arriving at Fiscal Estimate

Under current law, battery is generally a Class A misdemeanor. In certain circumstances, there are enhancers to battery penalties based on the victim's profession under Wisconsin Statute s. 940.20. This bill creates a new section and specifies that battery against a registered nurse (RN), a licensed practical nurse (LPN), or a person working under the supervision of a RN or LPN is a Class H felony. Battery against RNs and LPNs employed in DOC institutions or county jails is already punishable by a Class H felony; this bill makes it a Class H felony to commit battery against any RN or LPN acting in their professional capacity. The maximum penalty for a Class H felony is 3 years confinement and 3 years of extended supervision and up to a \$10,000 fine. Maximum length of probation for a Class H felony is up to 3 years, as compared to 2 years for a Class A misdemeanor.

The Department is unable to determine the state or local fiscal impact of the bill as it cannot predict the number of people that will be sentenced and the sentencing practices of judges under the new law.

The average FY18 annual cost for an inmate in a DOC institution is approximately \$32,700. However, when there is excess capacity in DOC facilities, the incremental costs (i.e. food, health care and clothing) of housing a small number of inmates is approximately \$6,600 based on FY18 costs. Should the Department use contract beds, the rate would be approximately \$18,800 annually per person.

State costs could increase if offenders are convicted of this crime and given longer probation sentences. The average FY18 annual cost to supervise one offender is approximately \$3,200.

County jails could experience increased costs if offenders are convicted of this crime and given longer jail sentences. The average FY18 annual cost to jail inmates is \$18,800.

Long-Range Fiscal Implications