

Fiscal Estimate - 2019 Session

Original
 Updated
 Corrected
 Supplemental

LRB Number 19-1690/1	Introduction Number SB-039
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Description
 expungement of records of certain crimes

Fiscal Effect

State:

<input type="checkbox"/> No State Fiscal Effect	<input type="checkbox"/> Increase Existing Revenues	<input type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget
<input checked="" type="checkbox"/> Indeterminate	<input type="checkbox"/> Decrease Existing Revenues	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Increase Existing Appropriations		<input type="checkbox"/> Decrease Costs
<input type="checkbox"/> Decrease Existing Appropriations		
<input type="checkbox"/> Create New Appropriations		

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	5. Types of Local Government Units Affected	
<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		
	<input type="checkbox"/> Towns		<input type="checkbox"/> Village
	<input type="checkbox"/> Counties		<input type="checkbox"/> Others
	<input type="checkbox"/> School Districts	<input type="checkbox"/> WTCS Districts	
		<input type="checkbox"/> Cities	

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	Authorized Signature	Date
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Fiscal Estimate Narratives
DOC 2/27/2019

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Description expungement of records of certain crimes		

Assumptions Used in Arriving at Fiscal Estimate

Under current law, if a person commits a crime for which the maximum term of imprisonment is six years or less before he she reaches the age of 25, a court may, at the time of sentencing, order that the court's record of the crime and conviction be expunged when the person successfully completes his or her sentence if the court finds that expunging the record will benefit the person and will not harm society. For most offenses, this bill eliminates the requirement that the sentencing court make the expungement order at the time of sentencing or that the crime was committed before the person was 25. This bill provides that the individual wishing to have their record expunged of certain convictions petition the court for expungement no sooner than one year after completing his or her sentence and no more than two times if unsuccessful on the first attempt. The bill also specifies that an expunged conviction is not considered a conviction for employment purposes.

Under the proposed legislation, there will likely be an increase in expungement orders that the Department receives and processes.

The amount of time required to process orders at the county level would also likely increase under this bill. There would be additional requests made for records to be expunged and additional copies of court files made.

Since it is not possible to project how many additional expungement orders would need to be processed by the Department or by counties, it is not possible to determine the state or local cost increase resulting from this bill.

Long-Range Fiscal Implications