

LRB or Bill No./Adm. Rule No.
LRB 99-4508/1
AB 777

Amendment No. if Applicable

X ORIGINAL UPDATED
 CORRECTED SUPPLEMENTAL

FISCAL ESTIMATE
DOA-2048 N(R10/96)

Subject
Sexually violent person commitment proceedings

Fiscal Effect

State: No State Fiscal Effect

Check columns below only if bill makes a direct appropriation or affects a sum sufficient appropriation.

X Increase Costs - May be possible to Absorb Within Agency's Budget Yes X No

- Increase Existing Appropriation Increase Existing Revenues
- Decrease Existing Appropriation Decrease Existing Revenues
- Create New Appropriation

Decrease Costs

Local: No local government costs

- 1. Increase Costs
 - Permissive Mandatory
- 2. Decrease Costs
 - Permissive Mandatory

- 3. Increase Revenues
 - Permissive Mandatory
- 4. Decrease Revenues
 - Permissive Mandatory

5. Types of Local Governmental Units Affected:
- Towns Villages Cities
 - Counties Others _____
 - School Districts WTCS Districts

Fund Sources Affected

X GPR FED PRO PRS SEG SEG-S

Affected Ch. 20 Appropriations

s. 20.550 (1)(c), (d)

Assumptions Used in Arriving at Fiscal Estimate

This bill makes various changes to chapter 980. The State Public Defender's Office (SPD) expects that additional chapter 980 petitions will be filed upon enactment of this bill. Specifically, the following provisions contained in the bill would likely result in an increase in the number of 980 petitions filed: (1) allowing DOJ or a district attorney to file a petition regardless of the outcome of an agency's evaluation as to whether a person meets the criteria for commitment; (2) allowing DOJ or a district attorney to file a petition regardless of the conclusion of the expert who conducts a special purpose evaluation at the request of the agency; and (3) allowing DOJ or a district attorney to retain a qualified expert to conduct a separate evaluation of the person.

While the SPD believes the foregoing provisions in the bill would increase the number of ch. 980 cases filed, the SPD cannot estimate any actual number. To show the potential numbers, however, the SPD can provide the following information. According to DOC, in 1999, DOC conducted a case review on 833 sex offenders. Of those 833 persons, the DOC decided to conduct a special purpose evaluation on 106 persons. Of the 106 persons subject to a special purpose evaluation, 35 to 40 were referred to DOJ for the filing of a ch. 980 petition. Therefore, using these 1999 figures, the number of additional persons who could have a ch. 980 petition filed against them if this bill became a law is 66 to 71. (As mentioned above, under the bill a petition may be filed regardless of the outcome of DOC's evaluation.)

According to the Director of State Courts Office, 37 ch. 980 cases were filed in 1999. The SPD estimates that it represents approximately 90% of the persons who are subject to a ch. 980 petition and that the average cost per private bar ch. 980 case (based on current data) is \$8800 (\$6400 attorney time at \$40 per hour and \$2400 expert costs). Thus, the SPD's costs would increase by \$8800 for each additional ch. 980 case that is filed upon enactment of this bill.

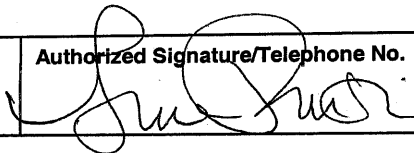
Also, the SPD's expert costs would likely increase as a result of enactment of this bill.

Long-Range Fiscal Implications

Indeterminate at this time. The SPD will carefully monitor the fiscal effect of this bill, if enacted, for future budget considerations.

Agency/Prepared by: (Name & Phone No.)
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Authorized Signature/Telephone No.



Date
Feb. 23, 2000