

### Fiscal Estimate - 2003 Session

Original     
  Updated     
  Corrected     
  Supplemental

<b>LRB Number</b> <b>03-3723/1</b>	<b>Introduction Number</b> <b>AB-818</b>
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**Subject**  
 Use of over-the-counter substances

**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:**

<input type="checkbox"/> No Local Government Costs <input type="checkbox"/> 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
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**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	

<b>Fund Sources Affected</b>	<b>Affected Ch. 20 Appropriations</b>
<input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS	

<b>Agency/Prepared By</b>	<b>Authorized Signature</b>	<b>Date</b>
DOC/ Dawn Woeshnick (608) 240-5417	Robert Margolies (608) 240-5056	2/18/2004

**Fiscal Estimate Narratives**

**DOC 2/19/2004**

LRB Number	<b>03-3723/1</b>	Introduction Number	<b>AB-818</b>	Estimate Type	<b>Original</b>
<b>Subject</b>					
Use of over-the-counter substances					

**Assumptions Used in Arriving at Fiscal Estimate**

This bill would create penalties for either those who intentionally misuse a household product or altered household product, or those who purchase the product for another person while knowing that person intends to misuse the product.

We have checked with the Legislative Reference Bureau, and there is a typo in the bill that will require a Chief Clerk's correction. The bill references the penalty which causes death as a Class I misdemeanor, but it should reference the penalty as a Class I felony.

If a person gives a household product to another person who dies as a result of misuse, the penalty could result in prison time not to exceed three years and six months (a Class I felony), but all of the other penalties in the bill are misdemeanors which would result in imprisonment in county jails, not state prisons.

It is not possible to determine how many people would be convicted of a Class I felony under this bill, or how long they would be placed in a state prison. The FY02 annual cost to house an inmate in a Department of Corrections institution was approximately \$26,000.

**Long-Range Fiscal Implications**