

Fiscal Estimate - 2003 Session

Original
 Updated
 Corrected
 Supplemental

LRB Number **03-1283/1** Introduction Number **SB-4**

Subject
 Possession of methamphetamine

Fiscal Effect

State:

- No State Fiscal Effect
- Indeterminate
 - Increase Existing Appropriations
 - Decrease Existing Appropriations
 - Create New Appropriations
- Increase Existing Revenues
- Decrease Existing Revenues
- Increase Costs - May be possible to absorb within agency's budget
 - Yes No
- Decrease Costs

Local:

- No Local Government Costs
- Indeterminate
 - 1. Increase Costs Permissive Mandatory
 - 2. Decrease Costs Permissive Mandatory
 - 3. Increase Revenue Permissive Mandatory
 - 4. Decrease Revenue Permissive Mandatory
- 5. Types of Local Government Units Affected
 - Towns Village Cities
 - Counties Others
 - School Districts WTCS Districts

Fund Sources Affected **Affected Ch. 20 Appropriations**

GPR
 FED
 PRO
 PRS
 SEG
 SEGS

Agency/Prepared By	Authorized Signature	Date
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Fiscal Estimate Narratives
DOC 1/30/2003

LRB Number 03-1283/1	Introduction Number SB-4	Estimate Type Original
Subject Possession of methamphetamine		

Assumptions Used in Arriving at Fiscal Estimate

As of February 1, 2003, any person convicted of possession or attempted possession of methamphetamine for the first time is guilty of a misdemeanor and may be fined and/or imprisoned for not more than one year or both. Second and subsequent convictions are Class I felonies and penalties include a fine and/or imprisonment for up to 3 and one-half years.

Under this bill, a person who possesses or attempts to possess methamphetamine on or after February 1, 2003, is guilty of a Class I felony, regardless of whether the person has any prior controlled substance offenses.

Since 1997 an average of 82 offenders (range 65-100) per fiscal year have been convicted of possession or attempted possession of methamphetamine or other types of hallucinogenic or stimulant drugs listed under s. 961.41(3g)(d) and placed on probation.

The Department is unable to determine which portion of those offenders placed on probation were convicted of possessing methamphetamine as opposed to other hallucinogenic or stimulant drugs. In addition, the Department does not have the data to determine how many offenders were sentenced to jail for possession or attempted possession of methamphetamine or the length of their jail sentence. Because it is unclear whether this statute change will result in additional offenders being sentenced to prison or longer sentences imposed for those placed on probation or in jail, it is impossible to determine the fiscal impact of this bill. However, it should be noted that the FY02 average annual cost to place an inmate in a DOC institution is approximately \$26,000.

Long-Range Fiscal Implications