

Fiscal Estimate - 2005 Session

Original
 Updated
 Corrected
 Supplemental

LRB Number 05-2072/2	Introduction Number AB-1033
------------------------------------	---

Description
 Authority for an off-duty peace officer to act outside his or her territorial jurisdiction

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
--	--	---

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
--	--	--

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 DOJ/ Mark Rinehart (608) 264-9463	Authorized Signature Mark Rinehart (608) 264-9463	Date 2/28/2006
--	---	--------------------------

Fiscal Estimate Narratives

DOJ 2/28/2006

LRB Number	05-2072/2	Introduction Number	AB-1033	Estimate Type	Original
Description Authority for an off-duty peace officer to act outside his or her territorial jurisdiction					

Assumptions Used in Arriving at Fiscal Estimate

Under s. 165.25(6)Wis. Stats. the Attorney General defends agents of the state in civil actions or other matters in a court or administrative agency relating to acts committed by the agent of the state in the lawful course of their duties. Under Section 2 of Assembly Bill 1033, for purposes of civil and criminal liability and for purposes of s. 895.46, an off-duty peace officer acting outside the officer's jurisdiction is considered to be acting as an agent of the state.

As a result, the Department of Justice will have to provide legal services whenever an action is brought against an off-duty officer acting under the provisions of Assembly Bill 1033. If the number of cases requiring legal services is significant, the department will need additional resources to provide those services. However, since the department is not aware of any data available to indicate how often it would have to provide such legal services, it is not possible to determine the extent of the fiscal impact Assembly Bill 1033 would have on the department.

Long-Range Fiscal Implications