

Fiscal Estimate - 2005 Session

Original
 Updated
 Corrected
 Supplemental

| | |
|--|---|
| LRB Number 05-4101/2 | Introduction Number AB-1137 |
| Description Crime victim and witness assistance surcharges imposed on persons committing civil offenses and making an appropriation | |
| Fiscal Effect | |
| State: <input type="checkbox"/> No State Fiscal Effect <input type="checkbox"/> Indeterminate <input checked="" type="checkbox"/> Increase Existing Appropriations <input type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget <input type="checkbox"/> Decrease Existing Appropriations <input type="checkbox"/> Decrease Existing Revenues <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Create New Appropriations <input type="checkbox"/> Decrease Costs | |
| 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 <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 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 checked="" 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 4/5/2006 | |

Fiscal Estimate Narratives

DOJ 4/6/2006

| | | | | | |
|---|-----------|---------------------|---------|---------------|----------|
| LRB Number | 05-4101/2 | Introduction Number | AB-1137 | Estimate Type | Original |
| Description Crime victim and witness assistance surcharges imposed on persons committing civil offenses and making an appropriation | | | | | |

Assumptions Used in Arriving at Fiscal Estimate

Under current law, the crime victim and witness surcharge is assessed against any person who is convicted of a misdemeanor or felony violation of state law. The surcharge is \$60 for each misdemeanor offense and \$85 for each felony offense. The initial \$40 for a misdemeanor and the initial \$65 for a felony funds county victim and witness services, and awards to crime victims.

Under Assembly Bill 1137, a court is required to assess the surcharge if: 1) a person is charged with a crime in a complaint; 2) as a result of the complaint being amended, the person is charged with a civil offense in lieu of the crime; and 3) the court finds that the person committed that civil offense. Also, the entire surcharge goes to fund county victim/witness services and crime victim awards.

In 2004, there were 11,606 misdemeanor charges statewide that were reduced to a forfeiture offense. The department does not have data on the number of felony charges statewide that were reduced to a forfeiture offense. However, it is assumed that there are very few such cases in any given year. Applying the provisions of AB 1137 to the 2004 forfeitures results in an increase of \$696,360 (11,606 x \$60).

The Department of Justice estimates that AB 1137 will generate approximately an additional \$700,000 annually for reimbursement to counties for victim/witness services and crime victim awards.

Long-Range Fiscal Implications