

Fiscal Estimate Narratives

DHFS 11/21/2007

LRB Number	07-3164/1	Introduction Number	AB-0544	Estimate Type	Original
Description Human trafficking and providing a penalty					

Assumptions Used in Arriving at Fiscal Estimate

Under this bill, human trafficking and trafficking of a child are specific offenses. For the human trafficking offense, "trafficking" is defined as recruiting, enticing, harboring, transporting, providing, or obtaining an individual without the consent of the individual. For the offense of trafficking of a child, any person who knowingly recruits, entices, provides, obtains, or harbors a child for commercial sex acts or sexually explicit performance, or who knowingly benefits from such activity, is guilty of a felony. Persons convicted of these crimes are subject to fines up to \$100,000, 25-40 years in prison, or both.

Under AB 544, specific changes to Chapter 48 add the new crimes of human trafficking and child trafficking to the sections of Chapter 48 that address criminal behaviors by a parent or care giver. The current definition of child abuse used by the Department of Health and Family Services (DHFS) includes prostitution and the exploitation of children. Under current law, when a county child welfare agency or the Department's Bureau of Milwaukee Child Welfare learns that a child is being abused by a parent or care giver and the parent or care giver fails to protect the child, that agency seeks a CHIPS (Child in Need of Protection or Services) order from the children's court. Since the department is already providing these services to children, the bill will not have a fiscal impact with respect to the changes to Chapter 48. Some counties refer these cases to local law enforcement.

Any potential fiscal impact on DHFS would result from changes to Chapter 250 which states that DHFS may provide emergency services or assistance to victims of trafficking if funds are available. The services to be provided are not defined in AB 544, and it is unlikely that funds would be available to provide services.

In summary, this bill does not have a fiscal impact on DHFS.

Local law enforcement agencies may see an increase in costs if more persons are arrested for these trafficking offenses. DHFS does not have adequate information to calculate the costs if additional arrests occur and is unable to provide a local fiscal impact.

Long-Range Fiscal Implications