

Fiscal Estimate - 2007 Session

Original
 Updated
 Corrected
 Supplemental

LRB Number 07-0525/1	Introduction Number AB-0092
Description Battery occurring during a riot and providing a penalty	
Fiscal Effect	
State: <input type="checkbox"/> No State Fiscal Effect <input type="checkbox"/> Indeterminate <input type="checkbox"/> Increase Existing Appropriations <input type="checkbox"/> Increase Existing Revenues <input checked="" 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 checked="" type="checkbox"/> No <input type="checkbox"/> Create New Appropriations <input type="checkbox"/> Decrease Costs	
Local: <input checked="" type="checkbox"/> No Local Government Costs <input 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 type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS	
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Date 3/30/2007	

Fiscal Estimate Narratives

DOC 3/30/2007

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Description Battery occurring during a riot and providing a penalty					

Assumptions Used in Arriving at Fiscal Estimate

Under current law there are several prohibitions and penalties relating to inmate assaultive behavior, including s. 940.20, Battery by Prisoners and s. 946.43, Assaults by Prisoners.

This bill creates a separate consecutive mandatory minimum term of 3 years in prison for inmates convicted of Battery by Prisoners or Assaults by Prisoners when an inmate participates in a riot. Under this bill, a riot is defined as "a disruption that creates a risk of injury or death to any person or damage to property and that is committed by two or more persons who are arrested, detained, or otherwise in the custody of any law enforcement agency in the state". The mandatory minimum of three years of imprisonment is to run consecutively to any other term of confinement the inmate is serving.

Only one disruption has occurred in recent years (2005) at a DOC facility. Six inmates were convicted of offenses related to participating in that disturbance.

The FY06 annual cost for an inmate in a DOC institution is approximately \$27,600. However, when there is excess capacity in DOC facilities, the incremental costs (i.e. food, health care and clothing) of housing a small number of inmates is approximately \$4,500 a year, based on FY06 costs. When there is no excess capacity in DOC facilities, as is currently the case, the Department uses contract beds at a rate of \$18,800 annually per person.

The Department of Corrections is unable to estimate the number of offenders who may be subject to the criminal penalty provisions of this bill. In addition, the fiscal impact of this bill is dependent on whether an offender would serve a longer term of confinement under this bill than he or she would have under existing criminal penalties.

A local impact will not occur because an offender sentenced under the provisions of this bill will be sentenced to a state prison and not a county jail.

Long-Range Fiscal Implications