



**Fiscal Estimate Narratives**  
**DOJ 2/11/2008**

LRB Number <b>07-3260/2</b>	Introduction Number <b>SB-401</b>	Estimate Type <b>Original</b>
<b>Description</b> Defining the age at which a person who is alleged to have violated a criminal law, a civil law, or a municipal ordinance is subject to circuit court or municipal court rather than juvenile court jurisdiction, imposing a fee on the sale of video games and video gaming devices, and making an appropriation.		

**Assumptions Used in Arriving at Fiscal Estimate**

Generally, Senate Bill 401 raises from 17 to 18 the age at which a person is subject to the Criminal Code rather than the Juvenile Justice Code in criminal cases, and a circuit or municipal court rather than a juvenile court in civil cases.

While most felony prosecutions are handled by district attorneys, assistant attorneys general in the Department of Justice's Criminal Litigation Unit on occasion act as special prosecutors throughout Wisconsin at the request of district attorneys. In addition, the Department of Justice's Criminal Appeals Unit represents the State of Wisconsin in defending felony convictions when those convictions are challenged in state or federal court. Under Wisconsin law, this unit is charged with preparing briefs and presenting arguments in front of any state appellate or federal court hearing a challenge to a felony conviction.

Since SB 401 could result in slightly fewer felony prosecutions subject to the Criminal Code and slightly fewer felony conviction appeals, it is possible that the enactment of the bill could result in a small impact on DOJ's caseload. However, the department anticipates that any decrease in caseload would be very small.

**Long-Range Fiscal Implications**