

Fiscal Estimate - 2009 Session

- Original Updated Corrected Supplemental

LRB Number 09-3581/1		Introduction Number SB-584	
Description Mutual assistance between tribal and county or municipal law enforcement agencies			
Fiscal Effect			
State:			
<input checked="" type="checkbox"/> No State Fiscal Effect			
<input type="checkbox"/> Indeterminate	<input 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	5. Types of Local Government Units Affected		
1. <input type="checkbox"/> Increase Costs	3. <input type="checkbox"/> Increase Revenue	<input type="checkbox"/> Towns	<input type="checkbox"/> Village <input type="checkbox"/> Cities
<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	<input type="checkbox"/> Counties	<input type="checkbox"/> Others
2. <input type="checkbox"/> Decrease Costs	4. <input type="checkbox"/> Decrease Revenue	<input type="checkbox"/> School Districts	<input type="checkbox"/> WTCS Districts
<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory		
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		Authorized Signature	Date
DOJ/ Mark Rinehart (608) 264-9463		Mark Rinehart (608) 264-9463	3/2/2010

Fiscal Estimate Narratives

DOJ 3/2/2010

LRB Number	09-3581/1	Introduction Number	SB-584	Estimate Type	Original
Description Mutual assistance between tribal and county or municipal law enforcement agencies					

Assumptions Used in Arriving at Fiscal Estimate

Generally, under s. 66.0313 (2), upon the request of any law enforcement agency, the law enforcement personnel of any other law enforcement agency may assist the requesting agency within the latter's jurisdiction. Law enforcement personnel of the responding agency shall be deemed employees of the requesting agency. Current law does not apply to tribal law enforcement agencies.

2009 Senate Bill 584 expands s. 66.0313 (2) to apply to tribal law enforcement personnel and tribal law enforcement agencies. However, under 66.0312 (4) of the bill, a law enforcement agency other than a tribal law enforcement agency may not respond to a request for assistance from a tribal law enforcement agency at a location outside the law enforcement's jurisdiction unless the following two conditions apply:

- 1) The tribe adopts and has in effect a resolution waiving the tribe's sovereign immunity or a resolution the Department of Justice determines will reasonably allow the enforcement of the tribe's liability; the tribe maintains sufficient liability insurance; or the law enforcement agency and the tribe have an agreement under which the law enforcement agency accepts liability for certain instances in which it responds to a request for assistance from the tribal law enforcement agency.
- 2) The tribal law enforcement agency requesting assistance has provided to DOJ a copy of the resolution, proof of insurance, or agreement and DOJ has posted a copy of the document on its Internet site maintained for exchanging information with law enforcement agencies.

Should 2009 SB 584 be enacted, DOJ anticipates being able to perform its new responsibilities with existing resources.

Long-Range Fiscal Implications