Fiscal Estimate - 2011 Session

Original Update	ed Corre	ected	Supplemental				
LRB Number 11-2098/2	Introduction	on Number A	B-0668				
Description Terminating a tenancy for criminal activity and requiring notice to landlord of nuisance investigation by law enforcement agency							
Fiscal Effect							
State: No State Fiscal Effect Indeterminate Increase Existing Appropriations Decrease Existing Appropriations Create New Appropriations	Increase Existing Revenues Decrease Existing Revenues		- May be possible agency's budget No				
Permissive Mandatory 2. Decrease Costs 4.	Increase Revenue Permissive Mandatory Decrease Revenue Permissive Mandatory	Counties	ts Affected Village Cities Others WTCS Districts				
Fund Sources Affected Affected Ch. 20 Appropriations GPR FED PRO PRS SEG SEGS							
Agency/Prepared By	Authorized Signat	ure	Date				
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Fiscal Estimate Narratives DA 3/14/2012

LRB Number 11	1-2098/2	Introduction Number	AB-0668	Estimate Type	Original		
Description Terminating a tenancy for criminal activity and requiring notice to landlord of nuisance investigation by law enforcement agency							

Assumptions Used in Arriving at Fiscal Estimate

Under this bill, a resident's tenancy may be terminated if criminal activity, caused by any person, takes place in the tenant's rental unit, or if criminal activity caused by the tenant or a person associated with the tenant occurs on the property owner's rental property. Criminal activity is defined as an act or behavior that is punishable by a fine or imprisonment, or that is a violation of a county, city, village, or town ordinance in which the property is located. The owner must provide written notice of the termination of tenancy, and if contested, the property owner must prove the allegation of criminal activity. If the community has an ordinance regulating nuisances, the law enforcement agency must notify the property owner of the investigation into the alleged nuisance.

Prosecutors provided a mixed response concerning the potential fiscal effect of this bill on their offices. Some believe the bill will have no fiscal impact on their offices because the bill does not create a new crime. Others, however, believe the bill could lead to a significant increase in their workload due to a variety of reasons, including landlords' requests for police reports and other such discovery before it should properly be released (i.e. - it could affect ongoing criminal investigations), and the bill's definition of "criminal activity" could lead to statutory interpretation and challenges for future cases. Due to the variation of responses, it is impractical to estimate a fiscal effect of this bill, so the fiscal effect is indeterminate.

Long-Range Fiscal Implications

As stated above, this bill's long-term fiscal impact is indeterminate.