



## Fiscal Estimate Narratives

DOC 3/22/2012

LRB Number	11-3986/1	Introduction Number	AB-0712	Estimate Type	Original
<b>Description</b> The sale, consumption, or possession of high-concentration alcohol beverages and providing penalties					

### Assumptions Used in Arriving at Fiscal Estimate

This bill prohibits the sale, consumption, or possession of intoxicating liquor containing 80 percent or more of alcohol by volume (160 proof or higher). A person who sells intoxicating liquor in violation of this prohibition is guilty of a Class I felony, punishable by a fine not exceeding \$10,000 or imprisonment not exceeding three years and six months or both. A person who consumes or possesses intoxicating liquor in violation of this prohibition must forfeit not less than \$200 nor more than \$500 for the first offense and not less than \$500 nor more than \$5,000 for the second or any subsequent offense within five years.

The Department of Corrections is unable to project the number of offenders who may be subject to the criminal penalty provisions of this bill and is therefore unable to estimate the fiscal impact to the state. However, if additional offenders are convicted, the Department will see increased costs.

In FY11 the average annual cost of an inmate in a DOC institution was approximately \$33,500. 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 was approximately \$5,200, based on FY 11 costs. When there is no excess capacity in DOC facilities, the Department uses contract beds at a rate of \$18,800 annually per person.

State costs could also increase if additional offenders are convicted of this crime and placed on probation. The average FY11 annual cost to supervise one offender is approximately \$2,900.

### Long-Range Fiscal Implications