

Fiscal Estimate Narratives

SPD 4/12/2011

LRB Number	11-1386/1	Introduction Number	AB-0074	Estimate Type	Original
Description Mephedrone or methylenedioxypravalorone and providing a penalty					

Assumptions Used in Arriving at Fiscal Estimate

The State Public Defender (SPD) is statutorily authorized and required to appoint attorneys to represent indigent defendants in criminal and certain commitment proceedings. The SPD plays a major role in ensuring that the Wisconsin justice system complies with the right to counsel provided by both the state and federal constitutions. Any legislation has the potential to increase SPD costs if it creates a new criminal offense, expands the definition of an existing criminal offense, or increases the penalties for an existing offense.

This bill creates new offenses for manufacturing, distributing, delivering or possessing with intent to distribute or deliver two substances – mephedrone and methylenedioxypravalorone - when intended for human consumption, punishable by a fine. Because the SPD may not appoint attorneys in cases with no exposure to incarceration, there is no anticipated fiscal effect for the SPD.

Counties would incur additional costs for prosecution of these new crimes. The SPD does not have data to estimate the number of cases that might result, however. Both the State, although not the SPD, and counties would receive revenue from fines imposed, pursuant to fine distribution schedules. Again, we cannot estimate how much this might be.

Long-Range Fiscal Implications