## Fiscal Estimate - 2013 Session

☑ Original ☐ Updated	☐ Corrected ☐ Supplemental				
LRB Number 13-2511/1	Introduction Number AB-0273				
<b>Description</b> Obtaining a search warrant for certain civil violate	ions				
Fiscal Effect					
Appropriations Reve	ase Existing enues  ease Existing enues  To absorb within agency's budget enues  Decrease Costs				
Permissive Mandatory Perm  2. Decrease Costs 4. Decre	5.Types of Local  Government Units Affected  Towns Village Cities  Counties Others  School WTCS  Districts Districts				
Fund Sources Affected Affected Ch. 20 Appropriations  GPR FED PRO PRS SEG SEGS					
Agency/Prepared By	Authorized Signature Date				
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## Fiscal Estimate Narratives DA 9/10/2013

LRB Number 13-2511/1	Introduction Number	AB-0273	Estimate Type	Original		
Description						
Obtaining a search warrant for certain civil violations						

## **Assumptions Used in Arriving at Fiscal Estimate**

Under current law, a court may authorize a search warrant allowing a law enforcement officer to search and seize anything that is the fruit of, or has been used in, the commission of a crime. This bill expands the authority of a court to authorize a search warrant in the case of a civil violation of the prohibitions against driving while having a prohibited alcohol concentration or while under the influence of an intoxicant and/or a controlled substance.

This bill will have an effect on District Attorney (DA) offices throughout the State. In larger counties, DA offices generally handle OWI 1st offense citations from the Sheriff's Department, Wisconsin State Patrol, and the DNR; whereas, municipal courts and city or town attorneys handle most of these cases in their juriditions. Many smaller counties do not have municipal courts, so the DA offices handle everything for their respective counties. However, it may be anticipated that in most counties DA offices will be called upon by all law enforcement agencies to assist with search warrants on refusals, as is the protocol in all criminal cases when they need a search warrant for an OWI blood draw.

It is difficult to provide a fiscal estimate should this bill be enacted because data is not available that identifies the number of vehicles for which law enforcement may seek a search warrant.

## **Long-Range Fiscal Implications**

Please see above for rationale regarding why it is difficult to provide a long-term fiscal estimate.