

### Fiscal Estimate - 2013 Session

Original     
  Updated     
  Corrected     
  Supplemental

<b>LRB Number</b> <b>13-3286/1</b>	<b>Introduction Number</b> <b>AB-0457</b>	
<b>Description</b> Providing grants to counties that offer treatment and diversion programs to people with mental illnesses and making an appropriation		
<b>Fiscal Effect</b>		
<b>State:</b>		
<input type="checkbox"/> No State Fiscal Effect <input type="checkbox"/> Indeterminate <input checked="" type="checkbox"/> Increase Existing Appropriations <input type="checkbox"/> Increase Existing Revenues <input checked="" 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 checked="" type="checkbox"/> No <input type="checkbox"/> Create New Appropriations <input type="checkbox"/> Decrease Costs		
<b>Local:</b>		
<input type="checkbox"/> No Local Government Costs <input checked="" type="checkbox"/> Indeterminate 1. <input type="checkbox"/> Increase Costs      3. <input type="checkbox"/> Increase Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 2. <input type="checkbox"/> Decrease Costs      4. <input type="checkbox"/> Decrease Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory		
5. Types of Local Government Units Affected <input type="checkbox"/> Towns <input type="checkbox"/> Village <input type="checkbox"/> Cities <input type="checkbox"/> Counties <input type="checkbox"/> Others <input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts		
<b>Fund Sources Affected</b>		
<input checked="" type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS		
<b>Affected Ch. 20 Appropriations</b>		
<b>Agency/Prepared By</b> DOJ/ Mark Rinehart (608) 264-9463	<b>Authorized Signature</b> Mark Rinehart (608) 264-9463	<b>Date</b> 10/24/2013

## Fiscal Estimate Narratives

DOJ 10/24/2013

LRB Number	13-3286/1	Introduction Number	AB-0457	Estimate Type	Original
<b>Description</b> Providing grants to counties that offer treatment and diversion programs to people with mental illnesses and making an appropriation					

### Assumptions Used in Arriving at Fiscal Estimate

Under s. 165.95, as affected by 2013 Wisconsin Act 20, the department of justice shall make grants to counties to enable them to establish and operate programs, including suspended and deferred prosecution programs and programs based on principles of restorative justice, that provide alternatives to prosecution and incarceration for criminal offenders who abuse alcohol or other drugs. The department of justice shall assist a county receiving a grant under this section in obtaining funding from other sources for its program. The department of justice shall inform any county that is applying for a grant under this section whether the county meets the requirements established under this section, regardless of whether the county receives a grant. The department of justice shall evaluate every 2 years, the grant program established under this section. The program is commonly referred to as the Treatment Alternatives and Diversion (TAD) Program.

2013 Assembly Bill 457 expands s. 165.95 so that it also applies to county programs for criminal offenders who have been diagnosed with mental illnesses and may be or have been charged with or convicted of crimes related to their mental illnesses. AB 457 increases a DOJ appropriation by \$750,000 GPR and directs DOJ to allocate at least \$750,000 to grants for counties with programs for criminal offenders who have been diagnosed with mental illnesses and may be or have been charged with or convicted of crimes related to their mental illnesses.

It should be noted, until the enactment of the 2013 biennial state budget bill in July of this year, the TAD program was administered by the former Office of Justice Assistance (OJA). The 2013 budget act resulted in the Department of Justice assuming many responsibilities of OJA, including the administration of the TAD program. The 2013 budget act also doubled the size of the TAD program, but did not provide additional resources for administering the expanded program.

It should further be noted, many of the former OJA positions that have been transferred to DOJ are responsible for the administration of multiple federal formula and discretionary awards. Federal rules specifically require that federal awards not be "commingled" with other funding streams. The 2013 Financial Guide from the Office of Justice Programs within the U.S. Department of Justice prohibits award administrators from "commingling funds on either a program-by-program or project-by-project basis." Also, "funds specifically budgeted and/or received for one project may not be used to support another." Staff supported with federal funds may not work on programs or projects for which the federal funds were not awarded. The work associated with the expanded TAD program cannot be performed by existing staff as it would violate the federal commingling prohibitions.

As a result, the Department of Justice will require 1 Program and Policy Analyst-Advanced FTE to administer the new program created by AB 457. DOJ will also require .5 Research Analyst FTE to perform research and analysis so as to establish and maintain program efficacy and better inform future program decisions by policy makers. Salary, fringe, supplies, services, and other costs for 1 Program and Policy Analyst-Advanced is \$81,763 in the first year. Salary, fringe, supplies, services, and other costs for .5 Research Analyst is \$35,373 in the first year. Total salary, fringe, supplies, services, and other costs required under AB 457 is \$117,136 in the first year.

### Long-Range Fiscal Implications