

Fiscal Estimate - 2013 Session

Original
 Updated
 Corrected
 Supplemental

LRB Number 13-2092/4	Introduction Number AB-0615	
Description Allowing municipal prisoners to be imprisoned in a bordering county within or outside of the state		
Fiscal Effect		
State:		
<input type="checkbox"/> No State Fiscal Effect <input checked="" type="checkbox"/> Indeterminate		
<input type="checkbox"/> Increase Existing Appropriations <input type="checkbox"/> Decrease Existing Appropriations <input type="checkbox"/> Create New Appropriations	<input type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Decrease Existing Revenues <input type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Decrease Costs	
Local:		
<input type="checkbox"/> No Local Government Costs <input checked="" type="checkbox"/> Indeterminate		
1. <input type="checkbox"/> Increase Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 2. <input type="checkbox"/> Decrease Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	3. <input type="checkbox"/> Increase Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 4. <input type="checkbox"/> Decrease Revenue <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		
Fund Sources Affected		
<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 20.550(1)(b-d)		
Affected Ch. 20 Appropriations		
Agency/Prepared By	Authorized Signature	Date
SPD/ Anna Oehler (608) 267-0311	Adam Plotkin (608) 264-8572	1/21/2014

Fiscal Estimate Narratives

SPD 1/21/2014

LRB Number	13-2092/4	Introduction Number	AB-0615	Estimate Type	Original
Description Allowing municipal prisoners to be imprisoned in a bordering county within or outside of the state					

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 critical 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.

Under current law, the municipal court may order a person with unpaid monetary judgments ordered by the municipal court to serve up to 90 days in jail. If imprisonment is ordered, the person must serve that time in a jail or house of corrections in the county in which the cause of action arose. This bill would allow persons ordered to be imprisoned under these conditions to be imprisoned in a different county within or outside of the state based on three requirements: 1. The other county borders the county in which the cause of action arose; 2. The monthly expenses charged to the municipality by the other county to imprison the defendant are at least 25 percent less than the monthly expenses charged by the county in which the cause of action arose; and 3. The other county agrees to having the defendant committed to a jail in that county.

The SPD estimates the impact this legislation will not result in additional cases; however, there may be increased SPD staff travel costs to visit a client if they were committed outside of the county by the court for the failure to pay a monetary judgment. The state mileage reimbursement is \$0.51 per mile.

Counties would also see increased transportation costs for those incarcerated in a different county based on the provisions of this bill.

Long-Range Fiscal Implications