

Fiscal Estimate Narratives

DOC 12/16/2013

LRB Number	13-3591/1	Introduction Number	SB-432	Estimate Type	Original
Description Prohibition on tracking the location of a cellular telephone by law enforcement without a warrant					

Assumptions Used in Arriving at Fiscal Estimate

Current law limits certain interceptions of communications and the use of pen register or trap and trace devices.

With certain exceptions, this bill prohibits law enforcement officers from tracking the location of a cellular telephone or other wireless communications device without first obtaining from a court a warrant authorizing the action. The bill also establishes a procedure in which a law enforcement officer may apply to a court for a warrant.

In the state of Wisconsin, correctional officers and sergeants are not considered law enforcement officers. Therefore, since the bill pertains to investigations on the part of law enforcement officers, there would likely be no fiscal impact on the Department of Corrections.

Local governments could see a possible change in costs because some jails have dual-certified correctional/law enforcement officers. Depending on the nature of the officer's job and the circumstances that might require wireless communication device tracking, they could be subject to the statutes proposed in the bill. However, the costs on the local government are too circumstantial to effectively determine.

Long-Range Fiscal Implications