

### Fiscal Estimate - 2015 Session

Original     
  Updated     
  Corrected     
  Supplemental

<b>LRB Number</b> <b>15-1437/2</b>	<b>Introduction Number</b> <b>AB-0180</b>
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**Description**  
 Considering post-traumatic stress disorder as a mitigating factor in sentencing certain criminal offenders

**Fiscal Effect**

**State:**

<input type="checkbox"/> No State Fiscal Effect	<input type="checkbox"/> Increase 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 checked="" type="checkbox"/> Indeterminate	<input type="checkbox"/> Decrease Existing Revenues	
<input type="checkbox"/> Increase Existing Appropriations		<input type="checkbox"/> Decrease Costs
<input type="checkbox"/> Decrease Existing Appropriations		
<input type="checkbox"/> Create New Appropriations		

**Local:**

<input type="checkbox"/> No Local Government Costs		
<input checked="" type="checkbox"/> Indeterminate		
1. <input type="checkbox"/> Increase Costs	3. <input type="checkbox"/> Increase Revenue	<b>5. Types of Local Government Units Affected</b> <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
<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	

<b>Fund Sources Affected</b>	<b>Affected Ch. 20 Appropriations</b>
<input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS	

<b>Agency/Prepared By</b>	<b>Authorized Signature</b>	<b>Date</b>
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## Fiscal Estimate Narratives

DA 5/19/2015

LRB Number	15-1437/2	Introduction Number	AB-0180	Estimate Type	Original
<b>Description</b> Considering post-traumatic stress disorder as a mitigating factor in sentencing certain criminal offenders					

### Assumptions Used in Arriving at Fiscal Estimate

Under current law, when a judge make a sentencing decision in a criminal offense case, the court must consider a variety of factors, including any applicable mitigating conditions.

Under this bill, when making a sentencing decision concerning a person who is a military veteran and has been diagnosed as suffering from post-traumatic stress disorder resulting from their military service, the court may consider that as a mitigating factor.

Prosecutors believe that the bill, should it be enacted, will add to the costs of prosecution. When the defense claims any type of mental condition for the defendant that mitigates responsibility, the State is entitled to review the supporting documentation prior to sentencing. The State may need an independent expert concerning the claimed mental condition, which may delay sentencing and increase costs to the State as the prosecutor reviews the medical information with the State's expert to assess the validity of the claimed condition. It is uncertain how many claims will be made, how much time will be added to the prosecutor's workload, and the costs of experts for the State. Consequently, a fiscal estimate of the impact of this law, if enacted, is indeterminate.

### Long-Range Fiscal Implications

For the same reasons as cited above, a long-term fiscal impact is indeterminate.