

Fiscal Estimate - 2015 Session

Original
 Updated
 Corrected
 Supplemental

LRB Number 15-0961/1	Introduction Number AB-0043
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Description
 Obtaining a search warrant for certain civil violations

Fiscal Effect

State:

No State Fiscal Effect
 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
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Local:

No Local Government Costs
 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
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Fund Sources Affected	Affected Ch. 20 Appropriations
<input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS	

Agency/Prepared By DA/ Phil Werner (608) 267-2700	Authorized Signature James Langdon (608) 267-1001	Date 2/19/2015
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Fiscal Estimate Narratives

DA 2/19/2015

LRB Number	15-0961/1	Introduction Number	AB-0043	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 jurisdictions. 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.