

Fiscal Estimate - 2015 Session

Original
 Updated
 Corrected
 Supplemental

LRB Number 15-2649/1	Introduction Number SB-414
-----------------------------	-----------------------------------

Description
 Considering post-traumatic stress disorder as a mitigating factor in sentencing certain criminal offenders

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
------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

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
----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

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 Kevin Vesperman (608) 267-1001	Date 12/7/2015
-------------------------------------------------------------	---------------------------------------------------------------	--------------------------

Fiscal Estimate Narratives

DA 12/7/2015

LRB Number	15-2649/1	Introduction Number	SB-414	Estimate Type	Original
Description 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.