Fiscal Estimate - 2015 Session

☑ Original ☐ Updated	Corrected Supplem	ental				
LRB Number 15-1350/1	Introduction Number SB-095					
Description Falsely claiming military service or honors, and providing a penalty						
Fiscal Effect						
Appropriations Reve	ease Existing enues rease Existing enues To absorb within agenc To absorb within agenc					
Local: No Local Government Costs Indeterminate 1. Increase Costs Permissive Mandatory 2. Decrease Costs Permissive Mandatory Permissive Mandatory Permissive Mandatory Permissive Mandatory Permissive Mandatory No Local Government Units Affected Towns Village Counties Counties Others School Districts Districts						
Fund Sources Affected Affected Ch. 20 Appropriations GPR FED PRO PRS SEG SEGS						
Agency/Prepared By	Authorized Signature	Date				
CTS/ Nancy Rottier (608) 267-9733	Nancy Rottier (608) 267-9733	4/1/2015				

Fiscal Estimate Narratives CTS 4/1/2015

LRB Number	15-1350/1	Introduction Number	SB-095	Estimate Type	Original	
Description						
Falsely claiming military service or honors, and providing a penalty						

Assumptions Used in Arriving at Fiscal Estimate

This bill creates new criminal penalties for persons who falsely, and with the intent to obtain tangible benefits, claim they received honors or awards related to military service. Persons who make false statements may be found guilty of a class A misdemeanor; persons who make the false claim with the intent to commit or to aid or abet another crime may be guilty of a class H felony.

The more significant the penalty involved in a case, the greater the judicial resources that are required to process a case. A misdemeanor case takes significantly greater judicial time and resources than a forfeiture case. A felony takes significantly greater judicial time and resources than a misdemeanor.

To determine the impact on required judicial resources, we have relied on the Judicial Needs Assessment 2006, submitted to the Director of State Courts by the National Center for State Courts. For this study, all Wisconsin judges and court commissioners participated in a time study designed to measure the time currently spent processing different types of cases from initial filing to final resolution. According to the study, felony cases took 162.8 minutes of judicial time and misdemeanor cases took 27.7 minutes of judicial time.

It is impossible to predict how many such crimes will be filed in the circuit courts. Additional proceedings require additional judge, court reporter, court staff and juror time. These costs are borne by both the state and the county. During the fiscal year 2012-13, the state paid 36.5 percent of the total costs of the circuit courts, and the counties paid 63.5 percent of the costs. An accurate estimate of the additional costs of this proposal, and how those costs will be borne by the state and the counties, is impossible with the data available.

Long-Range Fiscal Implications