

Fiscal Estimate - 2017 Session

Original
 Updated
 Corrected
 Supplemental

LRB Number 17-1322/1	Introduction Number SB-133
-----------------------------	-----------------------------------

Description
 possession of or use of a credit card scanner, providing civil immunity for sellers or distributors of fuel for scanners installed on pumps, and providing criminal penalties

Fiscal Effect

State:

<input type="checkbox"/> No State Fiscal Effect	<input type="checkbox"/> Increase Existing Revenues	<input checked="" type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget <input checked="" 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 type="checkbox"/> Indeterminate		
1. <input type="checkbox"/> Increase Costs	3. <input type="checkbox"/> Increase Revenue	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 <u>0</u> <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	

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 CTS/ Nancy Rottier (608) 267-9733	Authorized Signature Nancy Rottier (608) 267-9733	Date 6/6/2017
----------------------------------------------------------------	-------------------------------------------------------------	-------------------------

Fiscal Estimate Narratives

CTS 6/6/2017

LRB Number	17-1322/1	Introduction Number	SB-133	Estimate Type	Original
Description possession of or use of a credit card scanner, providing civil immunity for sellers or distributors of fuel for scanners installed on pumps, and providing criminal penalties					

Assumptions Used in Arriving at Fiscal Estimate

This bill creates new criminal penalties for possession or use of credit card reencoders or scanning devices. The crimes are Class G, H or I felonies, depending on the device possessed or used and conduct involved.

To determine the impact on required judicial resources, we have relied on the Wisconsin Judicial Workload Assessment 2016, 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 197 minutes of judicial time. For purposes of comparison, the same study found misdemeanor cases took 39 minutes of judicial time and contested traffic or ordinance violations that result in forfeitures took 8 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. An accurate estimate of the additional costs of this proposal, and how those costs will be divided between the state and the counties, is impossible with the data available.

This bill may result in greater usage of county jails, if persons prosecuted are sentenced to time in the county jail rather than state prison. These costs are borne by the counties. An accurate estimate of the change in costs is impossible with the data available.

This bill also creates civil immunity for sellers or distributors of motor vehicle fuel and for owners of automated teller machines, in circumstances involving the use of a credit card reencoder or scanning device. This provision does not appear to have a fiscal impact on the courts.

Long-Range Fiscal Implications