

Fiscal Estimate Narratives

SPD 5/18/2017

LRB Number	17-2766/1	Introduction Number	SB-169	Estimate Type	Original
Description going armed with a firearm and electric weapons, licenses for carrying a concealed weapon, trespassing while armed with a firearm, and providing criminal penalties					

Assumptions Used in Arriving at Fiscal Estimate

The State Public Defender (SPD) is statutorily authorized and required to appoint attorneys to represent indigent defendants in criminal and certain commitment proceedings. The SPD plays a critical role in ensuring that the Wisconsin justice system complies with the right to counsel provided by both the state and federal constitutions. Any legislation has the potential to increase SPD costs if it creates a new criminal offense, expands the definition of an existing criminal offense, or increases the penalties for an existing offense.

This bill eliminates prohibitions against (1) going armed with a concealed weapon without regard to licensure status; (2) carrying firearms in specified places such as school grounds and in a school zone (retains ability for certain persons to post buildings and grounds so individuals who carry a firearm in violation of posting commit trespass); (3) carrying a firearm in other buildings, such as a police station, a house of correction, or a secure mental health facility, but allows the appropriate governmental entity to post the buildings against carrying a firearm; (4) carrying a firearm, bow or crossbow in a wildlife refuge; (5) carrying a firearm, bow or crossbow while engaging in certain activities, such as operating an ATV; (6) shining while possessing a firearm, bow and arrow or crossbow (maintains that an individual may not shine wildlife while hunting); and (7) tasers (except maintained for individuals who may not carry a firearm). This bill modifies the process to obtain a new license to carry a concealed weapon.

Because the bill removes existing crimes and associated penalties, it is possible that the SPD will see a decrease in the number of cases in which a person may qualify for representation.

Long-Range Fiscal Implications