

Fiscal Estimate - 2021 Session

☒ Original
 ☐ Updated
 ☐ Corrected
 ☐ Supplemental

LRB Number 21-2841/1	Introduction Number AB-0448	
Description prosecution decisions following deaths involving law enforcement officers		
Fiscal Effect <div style="display: flex;"> <div style="flex: 1;"> State: <input checked="" type="checkbox"/> No State Fiscal Effect <input type="checkbox"/> Indeterminate <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input type="checkbox"/> Increase Existing Appropriations <input type="checkbox"/> Decrease Existing Appropriations <input type="checkbox"/> Create New Appropriations </div> <div style="width: 45%;"> <input type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Decrease Existing Revenues </div> </div> </div> <div style="flex: 1; padding-left: 20px;"> <input type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget <div style="display: flex; justify-content: space-around;"> <input type="checkbox"/> Yes <input type="checkbox"/> No </div> <input type="checkbox"/> Decrease Costs </div> </div>		
Local: <input checked="" type="checkbox"/> No Local Government Costs <input type="checkbox"/> Indeterminate <div style="display: flex; justify-content: space-between;"> <div style="width: 60%;"> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> 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 </div> <div style="width: 45%;"> 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 </div> </div> </div> <div style="width: 35%;"> 5. Types of Local Government Units Affected <div style="display: flex; justify-content: space-between;"> <div style="width: 30%;"> <input type="checkbox"/> Towns <input type="checkbox"/> Counties <input type="checkbox"/> School Districts </div> <div style="width: 30%;"> <input type="checkbox"/> Village <input type="checkbox"/> Others <input type="checkbox"/> WTCS Districts </div> <div style="width: 30%;"> <input type="checkbox"/> Cities </div> </div> </div> </div>		
<div style="display: flex; justify-content: space-between;"> <div> Fund Sources Affected <input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS </div> <div> Affected Ch. 20 Appropriations </div> </div>		
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Fiscal Estimate Narratives

CTS 7/19/2021

LRB Number	21-2841/1	Introduction Number	AB-0448	Estimate Type	Original
Description prosecution decisions following deaths involving law enforcement officers					

Assumptions Used in Arriving at Fiscal Estimate

Bill is relating to prosecution decisions following deaths involving law enforcement officers.

Current law requires an investigation following a death that involves a law enforcement officer and outlines specific requirements of the investigation. The investigators are required to provide a report of the investigation to the county district attorney in which the death occurred, and that district attorney must determine whether to prosecute the officer. This bill requires instead that the district attorney provide the report to a special prosecutor appointed by the court and that special prosecutor then must determine whether to prosecute the officer.

This bill requires the district attorney request and the judge to appoint a special prosecutor to receive investigation report in situations where there is an officer-involved death. The special prosecutor will decide whether to prosecute the officer, and if charges are filed, the special prosecutor will prosecute the case.

Fiscal Effect – Costs/Savings: The Director of State Courts has determined that based on the historical data on the number of cases, the number of appointments required to be made by the court pursuant to the bill would be small in number and thus the cost is negligible (i.e., no measurable fiscal impact on the Courts) and can be absorbed.

Long-Range Fiscal Implications

The Court system does not anticipate a long-range impact resulting from this proposed bill.