

**FISCAL ESTIMATE**

DOA-2048 N(R10/98)

- ORIGINAL       UPDATED  
 CORRECTED       SUPPLEMENTAL

LRB or Bill No./Adm. Rule No.  
**AB 109** (99-1210/1)  
 Amendment No. if Applicable

**Subject**

**Release of persons arrested for certain crimes against children.**

**Fiscal Effect**

State:  No State Fiscal Effect

Check columns below only if bill makes a direct appropriation or affects a sum sufficient appropriation.

- Increase Existing Appropriation       Increase Existing Revenues  
 Decrease Existing Appropriation       Decrease Existing Revenues  
 Create New Appropriation

Increase Costs - May be possible to Absorb Within Agency's Budget     Yes     No

Decrease Costs

Local:  No local government costs

1.  Increase Costs  
 Permissive     Mandatory  
 2.  Decrease Costs  
 Permissive     Mandatory

3.  Increase Revenues  
 Permissive     Mandatory  
 4.  Decrease Revenues  
 Permissive     Mandatory

5. Types of Local Governmental Units Affected:  
 Towns     Villages     Cities  
 Counties     Others \_\_\_\_\_  
 School Districts     WTCS Districts

**Fund Sources Affected**

- GPR     FED     PRO     PRS     SEG     SEG-S

**Affected Ch. 20 Appropriations**

**Assumptions Used in Arriving at Fiscal Estimate**

Under current law, a person arrested for or charged with a crime is generally eligible for release while awaiting trial. Persons charged with certain serious crimes may in some cases be denied release. A person released before trial may be required to abide by reasonable conditions designed to assure his or her appearance in court, protect members of the community from serious bodily harm and prevent the intimidation of witnesses.

This bill provides that a person arrested and taken into custody for certain felony offenses against children may not be released until a court has established conditions of release for the person. The bill continues to require that the person must be taken within a reasonable time before a judge in the county in which the offense was alleged to have been committed. The felony offenses against children covered by the bill are sexual contact or sexual intercourse with a child, physical abuse of a child, abandonment of a child and neglecting a child.

The Department of Corrections (DOC) does not anticipate any state fiscal impact from this legislation.

Although county jails anticipate that there may be some increase in jail populations as a result of this legislation, they are unable to estimate how much.

**Long-Range Fiscal Implications**

Agency/Prepared by: (Name & Phone No.)

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Date

2/19/99