

FISCAL ESTIMATE  
DOA-2048 N(R10/94)

- ORIGINAL
- UPDATED
- CORRECTED
- SUPPLEMENTAL

**Subject**

Sentences for felony offenses, parole, eliminating extended supervision and providing penalties

**Fiscal Effect**

State:  No State Fiscal Effect

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

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

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

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**

s.20.475(1)(d)

**Assumptions Used in Arriving at Fiscal Estimate**

This bill would reduce the mandatory time a person would receive under the recently passed "Truth in Sentencing Act." As that Act takes effect for offenses committed on or after December 31, 1999, the actual impact of the new law is unknown. The Act also created a Sentencing Commission, which is developing a report with recommendations to the Governor and Legislature on the issue of appropriate sentence length for various types of offenses and other aspects of sentencing. The recommendations of that Commission and the extent to which the Governor and Legislature adopt them are unknown. Thus the impact of this bill to retain the pre-12/31/99 sentencing status quo as compared to the unknown end result of the Sentencing Commission's process to reform sentencing in the light of the Truth in Sentencing Act on the workload of district attorneys offices is unknown.

To the extent that a rough guess is possible, it would seem that the effect of continuing the pre-12/31/99 sentencing approach (AB 296) as compared to a likely end result of the work of the Sentencing Commission and the Truth in Sentencing Act would be to lower DA workload. This assumes that the Truth in Sentencing law and Legislative enactment of Sentencing Commission recommendations will be to present accused persons with the likelihood of both longer prison sentences and longer community supervision time after completion of their sentence than is now the case. This perception is likely, at the margin, to encourage accused persons to seek a trial rather than to agree to a plea bargain. Trials are more costly in terms of prosecutorial time.

The extent of any saving, however, is unknown.

**Long-Range Fiscal Implications**

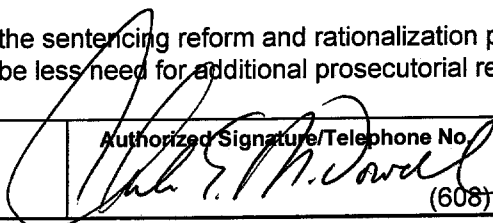
None compared to the current law, as this bill simply extends it past 12/31/99.

In comparison to the possible end result of the sentencing reform and rationalization process now being carried out per the Truth in Sentencing Act, there may be less need for additional prosecutorial resources.

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Date

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