

LRB or Bill No./Adm. Rule No.
LRB 99-0791/1
AB 665

Amendment No. if Applicable

- X ORIGINAL UPDATED
 CORRECTED SUPPLEMENTAL

FISCAL ESTIMATE
DOA-2048 N(R10/96)

Subject
Counting of certain convictions in drunk driving cases

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

- X GPR FED PRO PRS SEG SEG-S

Affected Ch. 20 Appropriations

s. 20.550 (1)(d)

Assumptions Used in Arriving at Fiscal Estimate

This bill would require that convictions for causing injury by intoxicated use of a vehicle (s. 940.25) and homicide by intoxicated use of a vehicle (s. 940.09(1)) would be counted for life when determining the number of prior OWI offenses a person has on his or her record. According to the UW Law School's Resource Center on Impaired Driving, in 1998, there were 31 convictions for homicide by intoxicated use of a vehicle and 37 convictions for causing injury by intoxicated use of a vehicle.

The State Public Defender's Office (SPD) represents only those persons who are charged with a criminal offense OWI (i.e. a 2nd or subsequent offense). If enactment of this bill increased the number of persons who are charged with a criminal offense OWI, then the SPD would incur costs from the additional persons it would represent. On the other hand, if the number of persons who are charged with a criminal offense OWI remained the same upon enactment of this bill, then the SPD would not incur costs. Based on the statistics above, it's probably more likely that the actual number of persons charged with a criminal offense OWI would not change due to enactment of this bill. Therefore, the SPD does not at this time expect a fiscal effect upon enactment of this bill.

Long-Range Fiscal Implications

None anticipated, but agency will monitor fiscal effect of bill, if enacted, for future budget considerations.

Agency/Prepared by: (Name & Phone No.)
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Date
January 27, 2000