

ORIGINAL UPDATED
 CORRECTED SUPPLEMENTAL

FISCAL ESTIMATE

DOA-2048 N(R10/98)

Subject
 Relating to Operating a Motor Vehicle While Intoxicated

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

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

20.410 (1)(a)(e)

Assumptions Used in Arriving at Fiscal Estimate

This bill revises the penalty structure for persons convicted of OWI with a blood alcohol concentration of .18 or greater. This fiscal estimate uses data provided by the Department of Transportation on the number of people convicted of OWI in calendar year 1997 and assumes it is representative of future statistics.

First Conviction

There is no jail or prison term under current law.

Penalty is created of 5 days-6 months

This affects 6,534 offenders and it is assumed that they will serve at least 5 days in jail for a total of 32,670 days of jail incarceration.

Second Conviction

Current penalty is 5 days-6 months

Revised penalty is 30 days-1 year

This affects 1,532 offenders and it is assumed that they will serve at least 10 additional days in jail for a total of 15,320 days of jail incarceration.

Long-Range Fiscal Implications

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

Authorized Signature/Telephone No.
 Robert Margolies/266-2931

Robert Margolies

Date
 4/26/99

Third Conviction

Current penalty is 30 days-1 year
Revised penalty is 60 days-1 year

This affects 1,203 offenders and it is assumed that they will serve 15 additional days in jail for a total of 18,045 days of jail incarceration

Fourth Conviction

Current penalty is 60 days-1 year
Revised penalty is 6 months-5 years

This affects 447 offenders and it is assumed that 50% (224) will be sentenced to jail for an average of 90 additional days. It is also assumed that 50% (223) of the offenders will be sentenced to serve at least 1 year in prison and 6 months of community supervision for an increase of 223 in the prison population and 112 on supervision. The increase in the prison population will result in fewer offenders being sentenced to the county jail. Assuming a current length of stay of 90 days, this decrease will offset the increase in jail days and thus no impact on jail populations is expected from this specific penalty.

Net Population Increases and Costs

Based on the aforementioned assumptions, it is estimated that this legislation will result in an increase of 223 in the state prison population and 66,035 days of additional jail incarceration.

Jails

If it is assumed that the average cost to house a person in a county jail is \$50/day, there will be an annual cost to counties of \$3,301,750 from this legislation.

Prisons

Since our prisons are presently over capacity, one option to house a population increase of 223 would be the construction of one 150 bed housing unit and contracting for 73 beds. Assuming a daily rate of \$45, the annual cost for this contract would be \$1,199,000. Construction costs for the housing unit is estimated at \$5,180,000. The funding of construction projects is usually obtained through general obligation bonding. Repayment of bonds would be spread over a period of 20 years and the loan repayment cost would be greater than the construction cost. The annual operating costs are estimated at \$2,220,000 and 40 staff would be required, thus resulting in total annual costs of \$3,419,000. One-time costs are \$157,600.

A second option would be the transfer of all 223 offenders to contract facilities. Assuming a daily rate of \$45, the annual cost of this option is estimated at \$3,662,800 and no construction costs.

Community Supervision

As mentioned earlier, it is estimated that the population on community supervision will increase by 112. This will require 2.5 staff at an annual cost of \$116,800 and one-time expenditures of \$20,900.

FISCAL ESTIMATE WORKSHEET

1999 Session

Detailed Estimate of Annual Fiscal Effect
DOA-2047 (R10/98)

ORIGINAL UPDATED
 CORRECTED SUPPLEMENTAL

LRB or Bill No./Adm. Rule No.
SB 95 LRB 2118/2

Amendment No.

Subject
Relating to Operating a Motor Vehicle While Intoxicated

I. One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect):
\$178,500

II. Annualized Costs:	Annualized Fiscal impact on State funds from:	
	Increased Costs	Decreased Costs
A. State Costs by Category		
State Operations - Salaries and Fringes	\$1,535,200	\$ -
(FTE Position Changes)	(42.5 FTE)	(- FTE)
State Operations - Other Costs	2,000,600	-
Local Assistance		-
Aids to Individuals or Organizations		-
TOTAL State Costs by Category	\$ 3,535,800	\$ -
B. State Costs by Source of Funds	Increased Costs	Decreased Costs
GPR	\$ 3,535,800	\$ -
FED		-
PRO/PRS		-
SEG/SEG-S		-
State Revenues Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fee, etc.)	Increased Rev.	Decreased Rev.
GPR Taxes	\$	\$ -
GPR Earned		-
FED		-
PRO/PRS		-
SEG/SEG-S		-
TOTAL State Revenues	\$	\$ -

NET ANNUALIZED FISCAL IMPACT

	<u>STATE</u>	<u>LOCAL</u>
NET CHANGE IN COSTS	\$3,535,800-3,779,600	\$3,301,750
NET CHANGE IN REVENUES	\$	\$

Agency/Prepared by: (Name & Phone No.) Department of Corrections	Authorized Signature/Telephone No. Robert Margolies/266-2931	Date 4/26/99
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Robert Margolies