

ORIGINAL UPDATED
 CORRECTED SUPPLEMENTAL

FISCAL ESTIMATE

DOA-2048 N(R10/98)

Subject

Relating to Committing Certain Crimes While Possessing, Using or Threatening to Use a Firearm.

Fiscal EffectState: No State Fiscal EffectCheck 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 CostsLocal: 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**

There are too many variables in this proposal to make an accurate estimate of the bill's fiscal impact. The following are the most significant limitations on our analysis:

- In calendar year 1998, approximately 3,800 offenders were placed on probation for the crimes included in the bill. We are unable to predict how many of these probationers used a firearm in the commission of their offense.
- It is not known how often prosecutors would charge an offender under this penalty enhancer provision. The mandatory minimum sentences will not apply to an offender unless s. 939.63(2) WI Stats, the penalty enhancer, is charged in addition to the underlying crime.
- If a prosecutor does charge the penalty enhancer, then the court has no discretion but to impose the mandatory minimum sentence. This will result in an increase in the prison population if offenders who would otherwise have been placed on probation are sentenced to prison. In addition, if offenders who would have been sentenced to prison anyway serve a longer period of time, there will be increased costs.

Long-Range Fiscal Implications

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

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

Date
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Robert Margolies