

FISCAL ESTIMATE

DOA-2048 N(R10/98)

X ORIGINAL UPDATED
 CORRECTED SUPPLEMENTAL

LRB or Bill No./Adm. Rule No.
SB 173 (LRB-2686/1)

Amendment No. if Applicable

Subject

Penalties for crimes involving the possession, use, or threat of use of a firearm

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

X Increase Costs - May be possible to Absorb Within Agency's Budget Yes X 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 creates mandatory minimum sentences for persons convicted of certain violent and drug-related felonies while possessing, using, or threatening to use a firearm. Although the bill specifies only firearms instead of the broader category of dangerous weapons, it also makes mandatory the previously presumptive sentences.

This bill will increase costs to the Office of the State Public Defender (SPD) because fewer defendants will plead guilty to a crime that carries a mandatory minimum prison sentence. Based on FY98 statistics, the SPD estimates that it annually handles approximately 10,480 cases involving the crimes specified in the bill.

Of these 10,480 cases, the SPD estimates that 15-20% will involve a firearm. The SPD further estimates that these cases will increase the rate of trials by 4-6%. The SPD estimates that each case that goes to trial will require 36 more hours of attorney time with an increase in attorney costs of \$90,720 to \$181,440 (assumes the \$40/hour reimbursement rate). The SPD estimates 40 hours of investigator time for each case with an increase in investigator costs of \$50,400 to \$100,800 (assumes a rate of pay of \$20/hour). Finally, the SPD estimates an increase in expert costs of \$50,022 to \$100,044. Thus, using these estimates, the total increase in costs to the SPD would be \$191,142 to \$382,284 annually.

The SPD has no data from which to estimate local government costs.

Long-Range Fiscal Implications

Increase in agency costs of \$191,142 to \$382,284 annually.

Agency/Prepared by: (Name & Phone No.)
 SPD/Tracey J. Lencioni/1-8857

Authorized Signature/Telephone No.

Virginia A. Pomeroy

4-8560

Date
 6/11/99

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 173 (LRB 2686/1)

Amendment No.

Subject
Penalties for crimes involving the possession, use, or threat of use of a firearm

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

II. Annualized Costs:		Annualized Fiscal impact on State funds from:	
		Increased Costs	Decreased Costs
A. State Costs by Category			
State Operations - Salaries and Fringes		\$	\$ -
(FTE Position Changes)		(FTE)	(- FTE)
State Operations - Other Costs (Private Bar Appropriation)		\$191,142 to \$382,284	-
Local Assistance			-
Aids to Individuals or Organizations			-
TOTAL State Costs by Category		\$	\$ -
B. State Costs by Source of Funds		Increased Costs	Decreased Costs
GPR		\$	\$ -
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

STATE

LOCAL

NET CHANGE IN COSTS \$191,142 to \$382,284 \$ _____

NET CHANGE IN REVENUES \$ _____ \$ _____

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