


1999 Session		LRB Number -3528/1
FISCAL ESTIMATE DOA-2048 N(R06/99)		Bill Number AB 465
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> UPDATED <input type="checkbox"/> CORRECTED <input type="checkbox"/> SUPPLEMENTAL		Amendment No. if Applicable
Subject		Administrative Rule Number
Implementing recommendations of Criminal Penalties Study Committee.		
Fiscal Effect State: <input type="checkbox"/> No State Fiscal Effect Check columns below only if bill makes a direct appropriation or affects a sum sufficient appropriation.		
<input type="checkbox"/> Increase Existing Appropriation <input type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Decrease Existing Appropriation <input type="checkbox"/> Decrease Existing Revenues <input type="checkbox"/> Create New Appropriation		<input type="checkbox"/> Increase Costs - May be possible to Absorb Within Agency's Budget <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Decrease Costs
Local: <input type="checkbox"/> No local government costs		
1. <input type="checkbox"/> Increase Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 2. <input type="checkbox"/> Decrease Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	3. <input type="checkbox"/> Increase Revenues <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 4. <input type="checkbox"/> Decrease Revenues <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	5. Types of Local Governmental Units Affected: <input type="checkbox"/> Towns <input type="checkbox"/> Villages <input type="checkbox"/> Cities <input type="checkbox"/> Counties <input type="checkbox"/> Others _____ <input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts
Fund Sources Affected <input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEG-S		Affected Chapter 20 Appropriations
Assumptions Used in Arriving at Fiscal Estimate <p>1997 Wisconsin Act 283 (truth in sentencing act) changed felony penalties and created a new structure for sentences for felony offenses. This act also created a criminal penalties study committee, which was directed to study various issues related to the implementation of the act, make recommendations based on its study and submit a report concerning its study and recommendations. The report was required to include any proposed legislation that was necessary to implement the recommendations made by the committee in its report. This bill is the proposed legislation necessary to implement the recommendations made by the committee.</p> <p>Under 1997 Wisconsin Act 283, if a court chooses to sentence a felony offender to a term of imprisonment in state prison for a felony committed on or after December 31, 1999, the court must do so by imposing a bifurcated sentence that includes a term of confinement in prison followed by a term of community supervision called extended supervision. AB 465 expands the number of felony classes from six to nine and creates new maximum terms of imprisonment and new maximum fines. The bill also places felony offenses that are classified under current law into new felony classes and establishes a maximum amount of extended supervision that a court can impose for classified felonies.</p> <p>Current law requires a court to impose a minimum sentence of imprisonment in certain cases. In other cases current law specifies a minimum sentence of imprisonment but allows a court, in the exercise of its discretion, to impose a lesser sentence of imprisonment or no imprisonment at all. AB 465 eliminates both mandatory and presumptive minimum prison sentences for felony offenses except for Class A felonies and other limited circumstances. Because the length of sentences in most cases will be based on judicial discretion, it is not possible to predict whether new sentences will be more or less lengthy than under current law. Therefore, it is also not possible to predict the impact of AB 465 on Department of Corrections' costs.</p>		
Long-Range Fiscal Implications Indeterminable.		
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