

LRB or Bill No./Adm. Rule No.  
LRB-0452/1, SB 0153

Amendment No. if Applicable

**FISCAL ESTIMATE**

DOA-2048 N(R10/98)

- ORIGINAL       UPDATED  
 CORRECTED       SUPPLEMENTAL

**Subject**

Relating to the death penalty

**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)(aa)(e)(f)

**Assumptions Used in Arriving at Fiscal Estimate**

This legislation gives courts the discretion to impose a death penalty for persons 16 years of age or older who are convicted of first degree intentional homicide of a child younger than 16 years old. It is not possible to predict how many offenders will be sentenced to death. Based on past discussions with DOC intake staff, it is estimated that approximately one to five offenders a year will be admitted with a death sentence.

Wisconsin currently has no "death row" in which to hold persons awaiting execution and it is assumed that a special unit within a current facility will be required. According to a 1996 Bureau of Justice Statistics Bulletin a national study was done which showed that the average length of time from the imposition of the death sentence to execution of the sentence was 10 years and 2 months. It is assumed that the length of the appeal process for death penalty cases will result in a need for a 12-cell facility within a maximum security institution. Components would include a sallyport entrance (double set of gates), 12 cells, law library area, food service area, visiting area, security control center, exercise area, execution chamber and observation area. Construction costs are estimated at \$1,908,000. The funding for 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. Annual operating costs are estimated at \$515,900, which includes the costs for 12.50 staff, supplies and services, fuel and utilities and repair and maintenance. One-time costs are estimated at \$145,300.

For each person executed there would be a reduction in incarceration costs for each year an offender would have otherwise been in custody. It is not possible to estimate this cost savings, so a net fiscal impact cannot be determined.

**Long-Range Fiscal Implications**

Agency/Prepared by: (Name & Phone No.)  
Lucie Widzinski-Pollock 266-5070  
Department of Corrections

Authorized Signature/Telephone No.  
*Robert Margolies*  
Robert Margolies 2666-2931

Date  
5/21/99

**FISCAL ESTIMATE WORKSHEET**

**1999 Session**

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

ORIGINAL       UPDATED  
 CORRECTED       SUPPLEMENTAL

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**LRB-0452/1, SB 0153**

Amendment No.

Subject

**I. One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect):**  
**\$145,300**

II. Annualized Costs:	Annualized Fiscal impact on State funds from:	
	Increased Costs	Decreased Costs
<b>A. State Costs by Category</b>		
State Operations - Salaries and Fringes	\$ 482,400	\$ -
(FTE Position Changes)	( 12.50 FTE)	(- FTE)
State Operations - Other Costs	33,500	-
Local Assistance		-
Aids to Individuals or Organizations		-
<b>TOTAL State Costs by Category</b>	<b>\$ 515,900</b>	<b>\$ -</b>
<b>B. State Costs by Source of Funds</b>	<b>Increased Costs</b>	<b>Decreased Costs</b>
GPR	\$ 515,900	\$ -
FED		-
PRO/PRS		-
SEG/SEG-S		-
<b>State Revenues</b> Complete this only when proposal will increase or decrease state-revenues (e.g., tax increase, decrease in license fee, etc.)	<b>Increased Rev.</b>	<b>Decreased Rev.</b>
GPR Taxes	\$	\$ -
GPR Earned		-
FED		-
PRO/PRS		-
SEG/SEG-S		-
<b>TOTAL State Revenues</b>	<b>\$</b>	<b>\$ -</b>

**NET ANNUALIZED FISCAL IMPACT**  
STATE

LOCAL

NET CHANGE IN COSTS      SEE NARRATIVE      \$ \_\_\_\_\_

NET CHANGE IN REVENUES      \$ \_\_\_\_\_      \$ \_\_\_\_\_

Agency/Prepared by: (Name & Phone No.) Department of Corrections Lucie Widzinski-Pollock 266-5070	Authorized Signature/Telephone No. <i>Robert Margolies</i> Robert Margolies 266-2931	Date 5/21/99
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