

### Fiscal Estimate - 2003 Session

Original     
  Updated     
  Corrected     
  Supplemental

<b>LRB Number</b> <b>03-3831/1</b>	<b>Introduction Number</b> <b>AB-863</b>
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**Subject**  
 Sexual abuse of a child in substitute care

**Fiscal Effect**

**State:**

No State Fiscal Effect  
 Indeterminate

<input type="checkbox"/> Increase Existing Appropriations <input type="checkbox"/> Decrease Existing Appropriations <input type="checkbox"/> Create New Appropriations	<input type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Decrease Existing Revenues	<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
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**Local:**

No Local Government Costs  
 Indeterminate

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 Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 4. <input type="checkbox"/> Decrease Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	<b>5. Types of Local Government Units Affected</b> <input type="checkbox"/> Towns <input type="checkbox"/> Village <input type="checkbox"/> Cities <input type="checkbox"/> Counties <input type="checkbox"/> Others <input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts
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<b>Fund Sources Affected</b>	<b>Affected Ch. 20 Appropriations</b>
<input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS	

<b>Agency/Prepared By</b> DOC/ Dawn Woeshnick (608) 240-5417	<b>Authorized Signature</b> Robert Margolies (608) 240-5056	<b>Date</b> 2/26/2004
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## Fiscal Estimate Narratives

DOC 2/26/2004

LRB Number	03-3831/1	Introduction Number	AB-863	Estimate Type	Original
<b>Subject</b>					
Sexual abuse of a child in substitute care					

### Assumptions Used in Arriving at Fiscal Estimate

Current law prohibits sexual contact or sexual intercourse with a child who is under the age of 16. Current law prohibits a staff member from sexual contact or intercourse with a 16 or 17 year old student at the school district where the staff member works. Current law also prohibits employees of certain facilities from sexual contact or intercourse with a child or adult who is a patient, resident or inmate at that facility. Any of these violations are punishable with fines and/or imprisonment.

This bill would prohibit a person from having sexual contact or sexual intercourse with an individual under the age of 18 for whom the person is a foster parent or treatment foster parent and would prohibit an employee or volunteer at a shelter, group home, or a residential care center for children and youth from having sexual contact or intercourse with a person under the age of 18 who has been placed at one of these facilities. A person violating one of these prohibitions would be guilty of a Class C felony punishable with a fine of not more than \$100,000 or a term of imprisonment of up to 40 years or both.

It is possible that a person that commits one of these new crimes would be guilty of a Class C felony under current law if the victim were under the age of 16. Because it is not possible to determine the number of people that would be convicted under this law, whether they would have been convicted under current law, or what type of sentence would be imposed, it is not possible to project the bill's precise fiscal impact on DOC or local government. The average FY02 cost to supervise an offender on probation/parole is approximately \$1900/year and the cost to incarcerate in a state prison is \$26,000/year.

### Long-Range Fiscal Implications