

Fiscal Estimate - 2003 Session

Original
 Updated
 Corrected
 Supplemental

LRB Number 03-0536/2	Introduction Number SB-14
------------------------------------	---

Subject
 Peeping toms

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
--	--	---

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	5. Types of Local Government Units Affected <input type="checkbox"/> Towns <input type="checkbox"/> Village <input type="checkbox"/> Cities <input checked="" type="checkbox"/> Counties <input type="checkbox"/> Others <input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts
--	--	---

Fund Sources Affected	Affected Ch. 20 Appropriations
<input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS	

Agency/Prepared By DOC/ Sue Loniello (608) 240-5524	Authorized Signature Robert Margolies (608) 240-5056	Date 2/7/2003
---	--	-------------------------

Fiscal Estimate Narratives
DOC 2/10/2003

LRB Number 03-0536/2	Introduction Number SB-14	Estimate Type Original
Subject Peeping toms		

Assumptions Used in Arriving at Fiscal Estimate

Under current law no one can install or use a surveillance device in any private place to observe a nude or partially nude person or persons without the consent of those persons. This bill further prohibits looking into a private place that is part of a facility that is open to the public or a private dwelling, where persons may reasonably expect to be nude or partially nude, for the purpose of sexual arousal or gratification without the consent of those persons. Penalties for both the current law and the bill's additional provisions include a fine of not more than \$10,000, imprisonment for not more than 9 months or both.

Current law also provides guidelines for the court on expunging records of juvenile adjudication or adult convictions. This bill further requires in the case of peeping tom violations that expungement of a juvenile adjudication must be a first offense and that the juvenile complied with the dispositional order. In the case of adult convictions, the bill requires that the offender was under the age of 18 at the time of the offense and had no prior peeping tom convictions.

Finally the bill authorizes the court to order an offender who has been found in violation of one of the peeping tom prohibitions, to register with the Department of Corrections (DOC) as a sex offender. If an expungement order is obtained the registration requirement ends and DOC is required to expunge the record of the person's delinquency adjudication or adult conviction from the sex offender registry.

The Department does not have the data to determine this bill's fiscal impact. Since the maximum penalty for these provisions is less than 1 year, there should not be an impact on DOC institutional populations, but there could be an impact on jails. There may be an impact on field populations if additional individuals are convicted and placed on probation. In addition, there could be a workload increase from additional offenders being placed on the sex offender registry.

Long-Range Fiscal Implications