

Fiscal Estimate Narratives

SPD 5/17/2005

LRB Number 05-2015/1	Introduction Number AB-358	Estimate Type Original
Subject Speeding		

Assumptions Used in Arriving at Fiscal Estimate

The State Public Defender (SPD) provides legal representation in criminal cases and other specified proceedings in which the loss of personal liberty or parental rights may occur. For adult clients, the SPD must complete a financial eligibility evaluation before appointing an attorney. SPD services are constitutionally required because in the case types handled by SPD, a defendant without the financial means to hire an attorney has the right to have an attorney appointed. Therefore, any bill that would increase the number of cases handled by SPD would increase SPD costs.

This bill relates to penalties for speeding offenses, which are non-criminal ordinance violations. The SPD does not provide representation in ordinance cases, unless one or more criminal charges are issued in connection with the incident.

Whether other agencies would see more revenue or more costs would depend, in part, on the difficulty in collecting the increased forfeitures and costs from defendants. There may also be more defendants who lose operating privileges for inability to pay the higher amounts (because suspension of license may be imposed for non-payment).

Long-Range Fiscal Implications