## Fiscal Estimate - 2005 Session

	Original		Updated		Correcte	∌d		Suppler	mental	
LRB	Number	05-3859/1		Introd	duction	Numbe	r A	B-784		
<b>Description</b> A mandatory term of confinement and the maximum term of imprisonment for certain child sex offenses and providing penalties										
Fiscal	Effect									
	No State Fisc Indeterminate Increase I Appropria Decrease Appropria	e Existing ations Existing	Revenue	e Existing	1 <del></del>	Increase to absorb \(\overline{\over	o within Yes	agency's	e possible s budget	
	No Local Gov Indeterminate 1. Increase Permiss 2. Decrease Permiss	e Costs sive⊠Mandato se Costs sive⊡Mandato	3. Increase	ve Man Revenue	ndatory e	Governme Governme Towns Count School	ent Unit s [ ties [ ol [	ts Affecte Village Others WTCS Districts	Cities	
Fund Sources Affected Affected Ch. 20 Appropriations  GPR FED PRO PRS SEG SEGS										
Agenc	y/Prepared I	Ву	Auti	horized S	ignature			C	Date	
CTS/ Nancy Rottier (608) 267-9733				Nancy Rottier (608) 267-9733 11/7				11/7/2005		

## Fiscal Estimate Narratives CTS 11/8/2005

LRB Number <b>05-385</b> 9	/1 Introduction Number	er AB-784 Estimate T	ype <b>Original</b>					
Description A mandatory term of confinement and the maximum term of imprisonment for certain child sex offenses and providing penalties								

## **Assumptions Used in Arriving at Fiscal Estimate**

This bill increases the penalty for sexual contact or intercourse with a child under age 16 by use or threat of force or violence. In addition it significantly increases the minimum and maximum penalties for certain specified sexual assault offenses. The bill also removes the court's discretion in sentencing a person who is convicted of violating s. 948.02(1) or 948.025(1)(a), Stats. by requiring the court to impose a term of confinement of at least 25 years.

Felony proceedings generally require additional court appearances and more court hearings than misdemeanors. This bill may lead to increased numbers of court proceedings because the increased penalties and mandatory minimum prison sentences may lead more persons to challenge the charges. If additional hearings and trials are held, the testimony of child victims and expert witnesses may be required at various points in the proceedings.

Additional court proceedings require additional judge, court reporter, court staff and juror time. These costs are borne by the state and the county.

In addition, the bill creates certain exceptions to the mandatory minimum sentences and establishes a process for determining whether a defendant meets the criteria established for the exceptions. As part of that process, the court may request an examination by a physician, psychologist or other expert. If the defendant is unable to pay, the cost of this expert examination shall be borne by the county.

An accurate estimate of the increased costs is impossible with existing data.

**Long-Range Fiscal Implications**