

Fiscal Estimate Narratives

CTS 2/28/2006

LRB Number	05-4263/1	Introduction Number	SB-526	Estimate Type	Original
Description Sexual intercourse or sexual contact with a person who is under the influence of alcohol beverages and providing a penalty					

Assumptions Used in Arriving at Fiscal Estimate

This bill changes the definition of "intoxicant" for purposes of second degree sexual assault. The current definition of "intoxicant" excludes an alcoholic beverage unless it is combined with a controlled substance, a controlled substance analog or another drug. This bill adds alcoholic beverage to the definition of "intoxicant," regardless of whether it is combined with another substance.

This bill is likely to increase the number of prosecutions for second degree sexual assault. It is impossible to predict how many such crimes will be filed in the circuit court. Second degree sexual assault is a Class C felony, punishable by a fine of up to \$100,000 or imprisonment of up to 40 years or both.

Additional proceedings require additional judge, court reporter, court staff and juror time. Felony proceedings generally require additional court appearances and more court hearings than misdemeanors. These costs are borne by both the state and the county. An accurate estimate of the additional costs is impossible with the data available.

Long-Range Fiscal Implications