## Fiscal Estimate - 2005 Session

	Original		Updated		Corrected		Supple	emental	
LRB	Number	05-4263/1		Intro	duction N	umber	SB-526	)	
<b>Description</b> Sexual intercourse or sexual contact with a person who is under the influence of alcohol beverages and providing a penalty									
Fiscal	Effect								
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Fund Sources Affected  Affected Ch. 20 Appropriations  GPR FED PRO PRS SEG SEGS									
Agenc	y/Prepared l	Ву	Auth	orized S	Signature			Date	
CTS/ Nancy Rottier (608) 267-9733 Nanc				y Rottiei	Rottier (608) 267-9733			2/28/2006	

## Fiscal Estimate Narratives CTS 2/28/2006

LRB Number <b>05-4263/1</b>	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**