

Fiscal Estimate - 2005 Session

Original Updated Corrected Supplemental

LRB Number 05-4263/1	Introduction Number SB-526	
Description Sexual intercourse or sexual contact with a person who is under the influence of alcohol beverages and providing a penalty		
Fiscal Effect		
State:		
<input type="checkbox"/> No State Fiscal Effect <input checked="" type="checkbox"/> Indeterminate <input type="checkbox"/> Increase Existing Appropriations <input type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget <input type="checkbox"/> Decrease Existing Appropriations <input type="checkbox"/> Decrease Existing Revenues <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Create New Appropriations <input type="checkbox"/> Decrease Costs		
Local:		
<input type="checkbox"/> No Local Government Costs <input checked="" type="checkbox"/> Indeterminate 1. <input type="checkbox"/> Increase Costs 3. <input type="checkbox"/> Increase Revenue 5. Types of Local Government Units Affected <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Towns <input type="checkbox"/> Village <input type="checkbox"/> Cities 2. <input type="checkbox"/> Decrease Costs 4. <input type="checkbox"/> Decrease Revenue <input type="checkbox"/> Counties <input type="checkbox"/> Others <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <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	Authorized Signature	Date
DOC/ Dawn Woeshnick (608) 240-5417	Robert Margolies (608) 240-5056	1/30/2006

Fiscal Estimate Narratives

DOC 1/30/2006

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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

Under current law, a person is guilty of second degree sexual assault if 1) he or she has sexual contact with an individual who is under the influence of an intoxicant, 2) as a result of the intoxicant's effects, the victim is incapable of appraising the person's conduct, and 3) the person knows of the victim's condition. The current definition of an "intoxicant" excludes alcoholic beverages unless it is combined with a controlled substance, a controlled substance analog, or another drug. This bill amends the definition of "intoxicant" to include alcoholic beverages, whether or not combined with another substance.

The Department is unable to determine the number of offenders who will be found guilty of this crime. If an offender is found guilty, and sentenced to prison, the FY05 annual cost to house an inmate in a Department of Corrections prison was \$26,200. If the offender is placed on probation, the FY05 annual average cost of probation was \$2,031.

Local jail costs would also increase if any of the offenders are placed in jail awaiting disposition of the case, or sentenced to jail after conviction.

Long-Range Fiscal Implications