



## Fiscal Estimate Narratives

SPD 2/27/2006

LRB Number	05-0512/1	Introduction Number	AB-1078	Estimate Type	Original
<b>Description</b> Licensing and activities of driver schools and instructors, granting rule-making authority, and providing a penalty					

### 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 does not create a new criminal offense or increase the penalties for an existing offense. Thus, it would not bring about the type of increased SPD workload and cost generally associated with those types of proposals. This bill relates to licensing requirements and procedures for driver's schools. These provisions are unlikely to have any effect upon SPD workload or costs.

The bill would change the penalty for certain regulatory violations such that defendants would no longer be potential SPD clients (some offenses that presently carry possible jail time would carry monetary penalties only under the bill, thus rendering defendants ineligible for SPD representation). However, SPD records show that no SPD representation has been provided in these charges previously, indicating that these charges are brought very infrequently. Thus, SPD would not realize any savings from this change in the penalty structure.

### Long-Range Fiscal Implications