Fiscal Estimate - 2005 Session

X	Original		Updated		Corrected		Supple	emental	
LRB	Number	05-2820/1		Introd	uction Nun	nber A	B-463		
Subje	ct								
False	imprisonmen	t and forcing pe	erson to work						
Fiscal	Effect	-	1						
State:	No State Fisc Indeterminate Increase I Appropria Decrease Appropria	e Existing tions Existing	Revenue	s e Existing	to at	ease Costs osorb withir Yes rease Costs	n agency		
Local: No Local Government Costs Indeterminate 1. Increase Costs Permissive Mandatory 2. Decrease Costs Permissive Mandatory Districts									
Fund	Sources Affe		PRS SEG	SEG	Affected C	h. 20 Appı	ropriatio	ns	
Agend	cy/Prepared	Ву	Aut	horized Sig	gnature			Date	
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Fiscal Estimate Narratives SPD 6/8/2005

LRB Number 05-2820/1	Introduction Number	AB-463	Estimate Type	Original					
Subject									
False imprisonment and forcing person to work									

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 creates new criminal offenses for which SPD will be required to appoint attorneys.

Costs to counties will result from appointment of counsel for defendants ineligible for SPD, but constitutionally entitled to representation under State v. Dean. Incarceration costs will also occur for defendants held in jail (both pending court hearings and serving sentences).

We are not aware of any existing data to predict the number of new cases resulting from this bill, but we could track this number in the future.

Long-Range Fiscal Implications