

### Fiscal Estimate - 2005 Session

Original     
  Updated     
  Corrected     
  Supplemental

<b>LRB Number</b> <b>05-0777/1</b>	<b>Introduction Number</b> <b>AB-48</b>
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**Subject**  
 Possession, in the presence of children, of drug paraphernalia for making methamphetamine

**Fiscal Effect**

**State:**

<input type="checkbox"/> No State Fiscal Effect	<input type="checkbox"/> Increase Existing Revenues	<input type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget
<input checked="" type="checkbox"/> Indeterminate	<input type="checkbox"/> Decrease Existing Revenues	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Increase Existing Appropriations		<input type="checkbox"/> Decrease Costs
<input type="checkbox"/> Decrease Existing Appropriations		
<input type="checkbox"/> Create New Appropriations		

**Local:**

<input checked="" type="checkbox"/> No Local Government Costs			
<input 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

<b>Fund Sources Affected</b>	<b>Affected Ch. 20 Appropriations</b>
<input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS	

<b>Agency/Prepared By</b> DOC/ Sue Loniello (608) 240-5524	<b>Authorized Signature</b> Robert Margolies (608) 240-5056	<b>Date</b> 2/10/2005
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**Fiscal Estimate Narratives**

**DOC 2/10/2005**

LRB Number <b>05-0777/1</b>	Introduction Number <b>AB-48</b>	Estimate Type <b>Original</b>
<b>Subject</b> Possession, in the presence of children, of drug paraphernalia for making methamphetamine		

**Assumptions Used in Arriving at Fiscal Estimate**

Under current law there are several prohibitions and penalties regarding the use of and the possession with intent to use, drug paraphernalia and/or the making of or storing methamphetamine.

This bill increases the penalties for a person 18 years or older who uses, or possesses with intent to use, drug paraphernalia related to methamphetamine in the presence of a child who is 14 years old or younger. Penalties under this bill would carry a term of imprisonment of up to 10 years or a fine of not more than \$25,000 or both.

The Department is unable to project the number of offenders who would receive an increased sentence under this new provision. The FY 04 annual cost to place an inmate in a DOC institution is approximately \$28,000 and \$2,000 for a community supervision placement.

There should not be a local impact as the bill increases the maximum prison term for offenders who are convicted under this new statute.

**Long-Range Fiscal Implications**