

Fiscal Estimate - 2005 Session

Original
 Updated
 Corrected
 Supplemental

LRB Number 05-2981/4	Introduction Number AB-708
------------------------------------	--

Subject
 Lifetime imprisonment maximum for subsequent first degree sexual assault

Fiscal Effect

State:

No State Fiscal Effect
 Indeterminate

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

Local:

No Local Government Costs
 Indeterminate

1. <input type="checkbox"/> Increase Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 2. <input type="checkbox"/> Decrease Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	3. <input type="checkbox"/> Increase Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 4. <input type="checkbox"/> Decrease Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	5. Types of Local Government Units Affected <input type="checkbox"/> Towns <input type="checkbox"/> Village <input type="checkbox"/> Cities <input type="checkbox"/> Counties <input type="checkbox"/> Others <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 DOC/ Robert Nikolay (608) 240-5405	Authorized Signature Robert Margolies (608) 240-5056	Date 10/26/2005
---	--	---------------------------

Fiscal Estimate Narratives

DOC 10/26/2005

LRB Number	05-2981/4	Introduction Number	AB-708	Estimate Type	Original
Subject					
Lifetime imprisonment maximum for subsequent first degree sexual assault					

Assumptions Used in Arriving at Fiscal Estimate

This bill increases the maximum confinement time for a second or subsequent conviction of first-degree sexual assault to life imprisonment without parole or extended supervision.

During CY04, 18 offenders were admitted to prison for first-degree sexual assault. Of those 18, none had been previously convicted for first-degree sexual assault. As of December 31, 2004, 50 of the 485 first-degree sexual assault offenders incarcerated on that date were incarcerated for a second or subsequent conviction of first-degree sexual assault. Of the 50 offenders with at least a second conviction, 20 had incarceration terms of less than the current maximum of 40 years.

While it is assumed that the increased sentence maximum may increase sentences for at least some offenders, the Department cannot predict the frequency with which courts will choose to use the maximum lifetime confinement sentence. As a result the fiscal impact cannot be determined. A fiscal impact will not be incurred until offenders who would have been sentenced to 40 years confinement time under current law begin to serve up to life in prison under this legislation.

Long-Range Fiscal Implications