

Fiscal Estimate - 2005 Session

Original
 Updated
 Corrected
 Supplemental

LRB Number 05-3943/1	Introduction Number AB-943
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Description
 Construction of a halfway house for sexually violent persons on supervised release

Fiscal Effect

State:

No State Fiscal Effect
 Indeterminate
 Increase Existing Appropriations
 Increase Existing Revenues
 Increase Costs - May be possible to absorb within agency's budget
 Decrease Existing Appropriations
 Decrease Existing Revenues

 Yes No
 Create New Appropriations
 Decrease Costs

Local:

No Local Government Costs
 Indeterminate

1. <input type="checkbox"/> Increase Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	3. <input type="checkbox"/> Increase 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
2. <input type="checkbox"/> Decrease Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	4. <input type="checkbox"/> Decrease Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	

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 DHFS/ Donna Moore (608) 266-8156	Authorized Signature Andy Forsaith (608) 266-7684	Date 2/17/2006
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Fiscal Estimate Narratives

DHFS 2/20/2006

LRB Number	05-3943/1	Introduction Number	AB-943	Estimate Type	Original
Description Construction of a halfway house for sexually violent persons on supervised release					

Assumptions Used in Arriving at Fiscal Estimate

This bill deletes from the 2001-03 authorized state building program a project for DHFS identified as "Transitional halfway house," which would have been a facility for placement of sexually violent persons (SVP) on supervised release. The project was to be funded with \$1,295,500 in general fund supported borrowing. The bill also reduces the amount of general fund supported debt that the state may incur by the same amount.

After a court rules that an SVP is eligible for supervised release (SR), DHFS must develop a supervised release plan, including a residential placement. This plan is submitted for the court's approval. It has been challenging for DHFS to identify appropriate placement options in Milwaukee. The purpose of the transitional facility was to create viable residential placement options in Milwaukee.

If DHFS were to create a residential facility for SR clients, DHFS would be responsible not only for establishing such a facility, but paying for the on-going costs as well. Any costs to establish a facility would have to be funded from current appropriations if the bonding authority is deleted by this bill and this is not feasible. It is not possible to estimate these costs. However, the amounts currently appropriated in the two sum certain accounts used to fund supervised release services [Wis.Stat. ss. 20.435(2)(a) and (bm)] would be inadequate to provide for a new SR facility.

Under current case law, a court may order DHFS to create a residential facility for SVPs who are eligible for supervised release. As a result, there is the possibility that at some point in the future a court may order DHFS to develop this sort of housing capability. If the bonding is deleted, DHFS would lack the funding to comply with the court order.

Long-Range Fiscal Implications