



**Fiscal Estimate Narratives**  
**DHFS 5/10/2005**

LRB Number <b>05-1314/2</b>	Introduction Number <b>SB-142</b>	Estimate Type <b>Original</b>
<b>Subject</b> Drug/alcohol treatment as an alternative to prosecution or incarceration		

**Assumptions Used in Arriving at Fiscal Estimate**

This bill establishes a new grant program, administered by the Office of Justice Assistance (OJA) in collaboration with DHFS and the Department of Corrections (DOC), for counties that provide alternatives to prosecution and incarceration for criminal offenders who abuse alcohol or other drugs. A portion of the funding for the grants is provided through an increase in the amount assessed under the drug abuse program improvement surcharge program. Under current law, if a court imposes a fine for a violation of the Uniform Controlled Substances Act (Chapter 961 of the statutes), the court must also impose a penalty surcharge, which is set at 24% of the amount of the fine, and a drug abuse program improvement surcharge, which is set at 50% of the sum of the fine and penalty surcharge. Revenues generated from drug abuse program improvement surcharge are budgeted by DHFS to fund programs providing prevention, intervention, and treatment for alcohol and other drug abuse (AODA) problems. This bill increases the amount of the drug abuse program improvement surcharge to 75% of the sum of the fine and penalty surcharge. The bill specifies that one-third of the revenues generated by the drug abuse program improvement surcharge be deposited in an OJA appropriation under s. 20.505(6)(kv) and be used to fund the grant program created under this bill.

The bill also creates a new \$10 drug offender diversion surcharge, imposed on every property crime conviction under Chapter 943 of the statutes. The revenues from the surcharge are deposited to OJA appropriation under s. 20.505(6)(kv), grants for substance abuse treatment programs for criminal offenders.

In 2003-04, the State collected \$995,600 PR through the drug abuse program improvement surcharge administered by DHFS. It is estimated that the State will collect approximately \$980,000 PR annually in the 2005-07 biennium. It is estimated that increasing the drug abuse program improvement surcharge from 50% to 75% of the sum of the fine and penalty surcharge will increase revenues by approximately \$490,000 PR annually, which would be deposited in the OJA appropriation. However, if revenues increase by less than \$490,000, the bill will reduce surcharge revenues to DHFS. Surcharge revenues in DHFS are used to fund an AODA treatment program for the hearing impaired, a statewide AODA counselor training program, an AODA women's treatment program, the Alliance for Wisconsin Youth program, and DHFS program staff.

The bill will have no fiscal effect on county human services or social services departments.

**Long-Range Fiscal Implications**