

Fiscal Estimate Narratives

DOC 1/3/2006

LRB Number	05-3622/2	Introduction Number	SB-455	Estimate Type	Original
Description Releasing persons arrested for certain offenses related to operating a vehicle while intoxicated					

Assumptions Used in Arriving at Fiscal Estimate

Under current law, a person arrested for certain offenses related to driving a vehicle under the influence of an intoxicant or with a prohibited alcohol concentration may not be released from police custody until 12 hours have elapsed from the time of his or her arrest or unless a chemical test shows that the person has an alcohol concentration of less than 0.04 except that the person may be released to his or her attorney, spouse, relative, or other responsible adult at any time after arrest.

Under this bill, a person may be released to his or her attorney, spouse, relative, or other responsible adult if the attorney, spouse, relative, or other responsible adult accepts legal responsibility for the actions of the arrested person for 12 hours after the time the person was arrested. In addition, this bill requires a law enforcement officer to seize or immobilize the vehicle used in the incident that gave rise to the arrest for 12 hours, except that if the vehicle is the only vehicle owned or leased by any member of the arrested person's household, the officer may release the vehicle to a member of the household.

This bill will not have an effect on the WI Department of Corrections.

The local fiscal impact cannot be determined.

Long-Range Fiscal Implications