

## Fiscal Estimate - 2005 Session

Original     
  Updated     
  Corrected     
  Supplemental

<b>LRB Number</b> <b>05-2110/2</b>	<b>Introduction Number</b> <b>SB-568</b>	
<b>Description</b> The county of placement for persons on supervised release, creating a tax on adult entertainment businesses, providing grants for transitional release facilities, requiring the exercise of rule-making authority, and making an appropriation		
<b>Fiscal Effect</b>		
<b>State:</b>		
<input type="checkbox"/> No State Fiscal Effect <input type="checkbox"/> Indeterminate <input type="checkbox"/> Increase Existing Appropriations <input type="checkbox"/> Decrease Existing Appropriations <input checked="" type="checkbox"/> Create New Appropriations	<input checked="" type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Decrease Existing Revenues  <input checked="" type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Decrease Costs	
<b>Local:</b>		
<input type="checkbox"/> No Local Government Costs <input checked="" type="checkbox"/> Indeterminate 1. <input type="checkbox"/> Increase Costs                      3. <input type="checkbox"/> Increase Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 2. <input type="checkbox"/> Decrease Costs                      4. <input type="checkbox"/> Decrease Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	5. Types of Local Government Units Affected <input checked="" type="checkbox"/> Towns <input checked="" type="checkbox"/> Village <input checked="" type="checkbox"/> Cities <input checked="" type="checkbox"/> Counties <input type="checkbox"/> Others <input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts	
<b>Fund Sources Affected</b>		
<input type="checkbox"/> GPR <input type="checkbox"/> FED <input checked="" type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS newly created s. 20.435(2)(gb)		
<b>Affected Ch. 20 Appropriations</b>		
<b>Agency/Prepared By</b>	<b>Authorized Signature</b>	<b>Date</b>
DHFS/ Donna Moore (608) 266-8156	Andy Forsaith (608) 266-7684	2/21/2006

## Fiscal Estimate Narratives

DHFS 2/21/2006

LRB Number	<b>05-2110/2</b>	Introduction Number	<b>SB-568</b>	Estimate Type	<b>Original</b>
<b>Description</b> The county of placement for persons on supervised release, creating a tax on adult entertainment businesses, providing grants for transitional release facilities, requiring the exercise of rule-making authority, and making an appropriation					

### Assumptions Used in Arriving at Fiscal Estimate

Under current law, a person who has been committed to the custody of the Department of Health and Family Services (DHFS) as a sexually violent person (SVP) may be placed on supervised release (SR) if the person no longer requires institutional care. If a court determines that SR is appropriate, DHFS must make its best effort to arrange that the person be placed in a residential facility or dwelling in the person's county of residence (generally the county where the person lived prior to committing the sexually violent offense), as determined by DHFS. If the person's county of residence declines to prepare a plan for supervised release, DHFS may arrange for another county to prepare a plan, and if no county agrees to prepare a plan, the court must order a county to prepare a plan. DHFS and the county in which the person will be released must prepare a plan for treating and monitoring the person while on supervised release.

This bill eliminates the requirement that DHFS make its best effort to place the person in his or her county of residence. Instead DHFS must designate the county of placement based on the type of treatment and services the person may need and the ability of the county, a public agency, or a private agency to provide the treatment and services and based on the proximity of other persons on supervised release and of persons in the custody of the Department of Corrections regarding whom a sex offender notification bulletin has been issued to law enforcement agencies.

There are approximately 12 supervised releases per year. The number of supervised releases per year will not change due to the bill's removal of the requirement to make best efforts to place the person in his county of residence. Under current law, DHFS is required, if ordered by the court, to find a place in the community for the individual whether the placement occurs in the county of residence or in a different county. Therefore, this provision will have no fiscal effect on the Department.

This bill imposes a tax on the operation of an adult book store or video store. The tax is equal to 12 percent of the amount paid to the business for an admissions fee, a user fee, and the sale of food, beverages, tangible personal property, and services. The revenue generated from the tax will be distributed as a grant by DHFS to counties and municipalities for the siting, construction, and maintenance of transitional release facilities for sexually violent persons who are placed on supervised release. Only transitional release facilities that are to be located in a remote area are eligible for a grant for siting or constructing.

The revenue collected under this tax could only be used to make grants to counties and municipalities for the "siting, construction, and maintenance of transitional facilities for persons placed on supervised release." Please see the fiscal estimate prepared by the Department of Revenue for the amount of revenues that would be available for the local grants. DHFS estimates that 1.0 FTE additional Budget and Policy Analyst at a cost of \$67,100 GPR (salary, fringe, and supplies and services) would be needed to establish and administer the county grant process and monitor the expenditure of funds.

### Long-Range Fiscal Implications

## Fiscal Estimate Worksheet - 2005 Session

Detailed Estimate of Annual Fiscal Effect

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<b>LRB Number</b> 05-2110/2		<b>Introduction Number</b> SB-568	
<b>Description</b> The county of placement for persons on supervised release, creating a tax on adult entertainment businesses, providing grants for transitional release facilities, requiring the exercise of rule-making authority, and making an appropriation			
<b>I. One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect):</b>			
<b>II. Annualized Costs:</b>		<b>Annualized Fiscal Impact on funds from:</b>	
		Increased Costs	Decreased Costs
<b>A. State Costs by Category</b>			
State Operations - Salaries and Fringes		\$60,300	
(FTE Position Changes)		(1.0 FTE)	
State Operations - Other Costs		6,800	
Local Assistance			
Aids to Individuals or Organizations			
<b>TOTAL State Costs by Category</b>		<b>\$67,100</b>	<b>\$</b>
<b>B. State Costs by Source of Funds</b>			
GPR		67,100	
FED			
PRO/PRS			
SEG/SEG-S			
<b>III. State Revenues - Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fee, etc.)</b>			
		Increased Rev	Decreased Rev
GPR Taxes		\$	\$
GPR Earned			
FED			
PRO/PRS			
SEG/SEG-S			
<b>TOTAL State Revenues</b>		<b>\$</b>	<b>\$</b>
<b>NET ANNUALIZED FISCAL IMPACT</b>			
		<u>State</u>	<u>Local</u>
NET CHANGE IN COSTS		\$67,100	\$
NET CHANGE IN REVENUE		\$	\$
<b>Agency/Prepared By</b>		<b>Authorized Signature</b>	<b>Date</b>
DHFS/ Donna Moore (608) 266-8156		Andy Forsaith (608) 266-7684	2/21/2006