Fiscal Estimate - 2007 Session

Original	Updated	Corre	cted	Supplemental				
LRB Number 07-04	00/1	Introduction	on Number A	B-0326				
Description Notification requirements for persons who must register as sex offenders and who are on school premises and providing a penalty								
Fiscal Effect								
State: No State Fiscal Effect Indeterminate Increase Existing Appropriations Decrease Existing Appropriations Create New Appropriations	Reve	ease Existing		- May be possible n agency's budget No				
Local: No Local Government Indeterminate 1. Increase Costs Permissive Ma 2. Decrease Costs Permissive Ma	3. Increa andatory Permi 4. Decre	ase Revenue issive	⊠ Counties L	its Affected Village Cities Others WTCS Districts				
Fund Sources Affected Affected Ch. 20 Appropriations GPR FED PRO PRS SEG SEGS								
Agency/Prepared By Aut		Authorized Signatu	horized Signature					
SPD/ Mike Tobin (608) 266-8259 Kris		Krista Ginger (608)	5/17/2007					

Fiscal Estimate Narratives SPD 5/17/2007

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Description Notification requirements for persons who must register as sex offenders and who are on school premises and providing a penalty							

Assumptions Used in Arriving at Fiscal Estimate

The State Public Defender (SPD) is statutorily authorized and required to appoint attorneys to represent indigent defendants in criminal proceedings. The SPD plays a major role in ensuring that the Wisconsin justice system complies with the right to counsel provided by both the state and federal constitutions. Any legislation that creates a new criminal offense or expands the definition of an existing criminal offense has the potential to increase SPD costs.

Because this bill creates a new felony offense, it would increase SPD costs. The average SPD cost to provide representation in a felony case is \$545.60 (for felony classes D-I, based upon 2006 data). We do not know how many cases would be brought under the proposed new criminal law, but we could track the number of cases in the future (after the law takes effect).

Counties are also subject to increased costs when a new crime is created. There are some defendants who, despite exceeding the SPD's statutory financial guidelines, are constitutionally eligible for appointment of counsel because it would be a substantial hardship for them to retain an attorney. The court is required to appoint counsel at county expense for these defendants. The counties also incur costs associated with incarceration of defendants, both pending trial and after sentencing.

Long-Range Fiscal Implications