## Fiscal Estimate - 2007 Session

Original Updated	Corrected Su	pplemental
LRB Number <b>07-3273/3</b>	Introduction Number AB-0	)804
<b>Description</b> The authority of the Department of Justice and	d public nuisance actions	
Fiscal Effect		
Appropriations Re	rease Existing venues crease Existing venues  \times   \text{Increase Costs - Ma} \text{to absorb within age} \text{venues}  \times   \text{Yes} \text{Decrease Costs}	ay be possible ency's budget No
Permissive Mandatory Pe	rmissive Mandatory Counties Ot crease Revenue School MW	ffected llage Cities hers TCS stricts
Fund Sources Affected  GPR FED PRO PRS	Affected Ch. 20 Appropr	iations
Agency/Prepared By	Authorized Signature	Date
CTS/ Nancy Rottier (608) 267-9733	Nancy Rottier (608) 267-9733	2/19/2008

## Fiscal Estimate Narratives CTS 2/19/2008

LRB Number 07-3273/3	Introduction Number	AB-0804	Estimate Type	Original	
Description					
The authority of the Departmen	t of Justice and public nuis	ance actions	3		

## **Assumptions Used in Arriving at Fiscal Estimate**

This bill has two main provisions relating to nuisance actions brought under ch. 823, Wis. Stats. First, the bill allows a defendant to recover litigation expenses if he or she prevails in a nuisance action. Second, the bill prohibits the Department of Justice from bringing an action to enjoin a public nuisance unless the alleged activity is in violation of a statute, rule, permit or ordinance.

There are no statistics on how many nuisance actions are brought before Wisconsin courts each year. Therefore, it is impossible to predict how many actions may be impacted by the first change in this bill. If additional proceedings are required because defendants are seeking to recover litigation expenses, then additional judge, court reporter and court staff time will be needed. These costs are borne by both the state and the county. An accurate estimate of additional costs is impossible with the data available.

It is unclear how many actions will be impacted by the provision of what nuisance actions may be brought by the Department of Justice.

**Long-Range Fiscal Implications**