

### Fiscal Estimate - 2007 Session

Original       Updated       Corrected       Supplemental

<b>LRB Number</b> <b>07-0414/2</b>		<b>Introduction Number</b> <b>SB-247</b>		
<b>Description</b> Sexual contact with a corpse and disturbing a burial site				
<b>Fiscal Effect</b>				
<b>State:</b>				
<input type="checkbox"/> No State Fiscal Effect				
<input checked="" type="checkbox"/> Indeterminate				
<input type="checkbox"/> Increase Existing Appropriations		<input type="checkbox"/> Increase Existing Revenues		
<input type="checkbox"/> Decrease Existing Appropriations		<input type="checkbox"/> Decrease Existing Revenues		
<input type="checkbox"/> Create New Appropriations		<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 checked="" type="checkbox"/> Increase Costs		3. <input type="checkbox"/> Increase Revenue		
<input checked="" 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 type="checkbox"/> Towns		<input type="checkbox"/> Village <input 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>		<b>Affected Ch. 20 Appropriations</b>		
<input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS				
<b>Agency/Prepared By</b>		<b>Authorized Signature</b>		<b>Date</b>
DOC/ Sue Loniello (608) 240-5524		Robert Margolies (608) 240-5056		9/5/2007

**Fiscal Estimate Narratives**  
**DOC 9/5/2007**

LRB Number <b>07-0414/2</b>	Introduction Number <b>SB-247</b>	Estimate Type <b>Original</b>
<b>Description</b> Sexual contact with a corpse and disturbing a burial site		

**Assumptions Used in Arriving at Fiscal Estimate**

This bill makes it a crime to have sexual contact or sexual intercourse with a corpse, defined as the body of a human being that has been declared dead by a physician, coroner, or other medical examiner. A person who violates the prohibition is guilty of a Class G felony, (maximum of five years of confinement and five years of extended supervision).

Current law also prohibits a person from disturbing a burial site or land contiguous to a burial site. This bill expands the penalty provisions to prohibit any person from intentionally disturbing, opening, or exposing a burial site or a buried human corpse. A person who violates this provision is guilty of a Class I felony (maximum of one and one-half years of confinement and 2 years of extended supervision).

The Department of Corrections is unable to estimate the number of offenders who will be subject to the criminal penalty provisions of this bill and therefore is unable to estimate the state fiscal impact.

The FY06 annual cost for an inmate in a DOC institution is approximately \$27,600. However, when there is excess capacity in DOC facilities, the incremental costs (i.e. food, health care and clothing) of housing a small number of inmates is approximately \$4,500, based on FY06 costs. When there is no excess capacity in DOC facilities, as is currently the case, the Department uses contract beds at a rate of \$18,800 annually per person. The annual cost for community supervision is \$2,000.

A local fiscal impact will occur if a person is sentenced to jail for less than one-year as a condition of probation.

**Long-Range Fiscal Implications**