

Fiscal Estimate - 2007 Session

Original
 Updated
 Corrected
 Supplemental

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| LRB Number 07-3846/1 | Introduction Number SB-412 |
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Description
 Relating to: payment of judgments in traffic courts and municipal courts by installments and the suspension of operating privileges.

Fiscal Effect

State:

| | | |
|---|---|--|
| <input type="checkbox"/> No State Fiscal Effect | <input type="checkbox"/> Increase Existing Revenues | <input type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget |
| <input checked="" type="checkbox"/> Indeterminate | <input type="checkbox"/> Increase Existing Appropriations | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/> Decrease Existing Appropriations | <input type="checkbox"/> Decrease Existing Revenues | <input type="checkbox"/> Decrease Costs |
| <input type="checkbox"/> Create New Appropriations | | |

Local:

| | | |
|--|--|--|
| <input type="checkbox"/> No Local Government Costs | 5. Types of Local Government Units Affected | |
| <input type="checkbox"/> Indeterminate | <input type="checkbox"/> Towns | <input type="checkbox"/> Village <input type="checkbox"/> Cities |
| 1. <input type="checkbox"/> Increase Costs | <input type="checkbox"/> Counties | <input type="checkbox"/> Others |
| <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory | <input type="checkbox"/> School Districts | <input type="checkbox"/> WTCS Districts |
| 2. <input type="checkbox"/> Decrease Costs | | |
| <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory | | |
| 3. <input type="checkbox"/> Increase Revenue | | |
| <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory | | |
| 4. <input type="checkbox"/> Decrease Revenue | | |
| <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory | | |

| | |
|---|---------------------------------------|
| Fund Sources Affected | Affected Ch. 20 Appropriations |
| <input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input checked="" type="checkbox"/> SEG <input type="checkbox"/> SEGS 20.396(5)(cq) | |

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|--|---|--------------------------|
| Agency/Prepared By DOT/ Mitchell Warren (608) 266-1449 | Authorized Signature Julie Johnson (608) 267-3703 | Date 2/13/2008 |
|--|---|--------------------------|

Fiscal Estimate Narratives
DOT 2/13/2008

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|--|-----------------------------------|-------------------------------|
| LRB Number 07-3846/1 | Introduction Number SB-412 | Estimate Type Original |
| Description Relating to: payment of judgments in traffic courts and municipal courts by installments and the suspension of operating privileges. | | |

Assumptions Used in Arriving at Fiscal Estimate

BILL SUMMARY

Traffic violation: Requires the court when entering judgment to allow a payment plan in lieu of operating privilege withdrawal if the defendant is unable to pay due to poverty.

Municipal ordinance violation: Prohibits a judge from ordering a defendant's imprisonment or withdrawing their operating privilege for non-payment of a judgment if:
-the defendant has notified the court that they cannot pay due to poverty and
-the defendant has not previously failed to comply with a court-ordered installment plan or previously failed to perform community service

Operating privilege withdrawal for failure to pay a judgment:
-A court may terminate the withdrawal and substitute a payment plan
-If the defendant is unable to pay due to poverty, requires the court to terminate the withdrawal and substitute a payment plan, unless the defendant has previously failed to comply with a payment plan

This proposal uses poverty as it is defined in s. 814.29(1)(d).

ASSUMPTIONS

In Section 5 of the proposal a court is required to "terminate" the suspension of an individual and substitute a payment plan. DOT is unsure of how "terminate" will be interpreted by courts. If a court reports to DOT that the judgment is paid, the individual will have to pay the required reinstatement fees to reinstate their operating privilege. If a court reports to DMV that they are releasing the suspension, no reinstatement fee will be required.

CONCLUSION

The vagueness of the word "terminate" as described above could potentially impact DMV revenues through a reduced collection of reinstatement fees.

Long-Range Fiscal Implications

See above.

Fiscal Estimate Worksheet - 2007 Session

Detailed Estimate of Annual Fiscal Effect

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| Description Relating to: payment of judgments in traffic courts and municipal courts by installments and the suspension of operating privileges. | | | |
| I. One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect): Indeterminate. | | | |
| II. Annualized Costs: | | Annualized Fiscal Impact on funds from: | |
| | | Increased Costs | Decreased Costs |
| A. State Costs by Category | | | |
| | State Operations - Salaries and Fringes | \$ | \$ |
| | (FTE Position Changes) | | |
| | State Operations - Other Costs | | |
| | Local Assistance | | |
| | Aids to Individuals or Organizations | | |
| | TOTAL State Costs by Category | \$ | \$ |
| B. State Costs by Source of Funds | | | |
| | GPR | | |
| | FED | | |
| | PRO/PRS | | |
| | SEG/SEG-S | | |
| III. State Revenues - Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fee, etc.) | | | |
| | | Increased Rev | Decreased Rev |
| | GPR Taxes | \$ | \$ |
| | GPR Earned | | |
| | FED | | |
| | PRO/PRS | | |
| | SEG/SEG-S | | |
| | TOTAL State Revenues | \$ | \$ |
| NET ANNUALIZED FISCAL IMPACT | | | |
| | | State | Local |
| | NET CHANGE IN COSTS | \$ | \$ |
| | NET CHANGE IN REVENUE | \$ | \$ |
| Agency/Prepared By | | Authorized Signature | |
| DOT/ Mitchell Warren (608) 266-1449 | | Julie Johnson (608) 267-3703 | |
| | | Date | |
| | | 2/13/2008 | |