

Fiscal Estimate - 2009 Session

Original Updated Corrected Supplemental

LRB Number 09-0914/3		Introduction Number AB-0151
Description Drunk driving penalties, consumption reports, and intoxicated driver deterrence		
Fiscal Effect		
State: <input type="checkbox"/> No State Fiscal Effect <input type="checkbox"/> Indeterminate <input checked="" 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 type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Decrease Costs		
Local: <input type="checkbox"/> No Local Government Costs <input checked="" type="checkbox"/> Indeterminate 1. <input type="checkbox"/> Increase Costs 3. <input type="checkbox"/> Increase Revenue 5. Types of Local Government Units Affected <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Towns <input type="checkbox"/> Village <input type="checkbox"/> Cities 2. <input type="checkbox"/> Decrease Costs 4. <input type="checkbox"/> Decrease Revenue <input type="checkbox"/> Counties <input type="checkbox"/> Others <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts		
Fund Sources Affected <input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS		Affected Ch. 20 Appropriations
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Fiscal Estimate Narratives

DA 3/24/2009

LRB Number	09-0914/3	Introduction Number	AB-0151	Estimate Type	Original
Description Drunk driving penalties, consumption reports, and intoxicated driver deterrence					

Assumptions Used in Arriving at Fiscal Estimate

In 2007, there were 24,158 first offense OWI cases and approximately 30,000 citations issued. If a perpetrator's blood alcohol concentration (BAC) is below 0.12 on a first offense OWI, this bill would retain the case as civil; however, a BAC at or above 0.12 the offense is criminal requiring imprisonment. This change would drastically increase the number of criminal cases, particularly of those whose BAC is at or just above a BAC of 0.12. There would be arguments regarding alcohol curves and a significant increase in the number of trials in order to keep the offense a civil violation. This would be akin to increasing the workload from a misdemeanor to a felony. Another major impact of this law is that fourth offense OWI would become a felony. This will lead to an increase in the number of trials.

Assume that 40% of first offense OWI cases had a BAC of 0.12 or greater. $24,158 \times 40\% = 9,663$ cases.
 $9,663 \text{ cases} \times 6.32 \text{ hours (dif. between felony and misdemeanor)} = 61,070 \text{ hours}$
 $61,070 \text{ hours} \div 1,227 \text{ (hours annually available to ADAs for casework)} = 49.75 \text{ ADAs needed.}$

In 2007 there were 1,902 fourth offense OWI cases.
 $1,902 \text{ cases} \times 6.32 \text{ hours (dif. between felony and misdemeanor)} = 12,020 \text{ hours}$
 $12,020 \text{ hours} \div 1,227 = 9.80 \text{ ADAs needed.}$

The impact of this law change could require 59.55 ADAs ($49.75 + 9.80$)
Annual salary = \$47,036
Annual fringe = \$18,433
TOTAL = $\$65,469 \times 59.55 \text{ ADAs} = \$3,898,679$.
Counties would face increases in jail costs.

Long-Range Fiscal Implications

There is expected to be a significant long-range fiscal impact. Please see the figures presented above.