

Fiscal Estimate - 2009 Session

Original Updated Corrected Supplemental

LRB Number 09-1371/2		Introduction Number AB-0156	
Description Reimbursement to counties by prisoners and increasing drunk driving penalties			
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"/> Increase Costs - May be possible to absorb within agency's budget <input type="checkbox"/> Decrease Existing Appropriations <input type="checkbox"/> Decrease Existing Revenues <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Create New Appropriations <input type="checkbox"/> Decrease Costs			
Local:			
<input type="checkbox"/> No Local Government Costs <input checked="" type="checkbox"/> Indeterminate			
1. <input type="checkbox"/> Increase Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory		3. <input type="checkbox"/> Increase Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	
2. <input type="checkbox"/> Decrease Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory		4. <input type="checkbox"/> Decrease Revenue <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 type="checkbox"/> Counties <input type="checkbox"/> Others <input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts			
Fund Sources Affected		Affected Ch. 20 Appropriations	
<input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS			
Agency/Prepared By		Authorized Signature	Date
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Fiscal Estimate Narratives

DA 3/27/2009

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Description Reimbursement to counties by prisoners and increasing drunk driving penalties					

Assumptions Used in Arriving at Fiscal Estimate

In 2007, there were 24,158 first offense OWI cases and approximately 30,000 citations issued. This bill would make a first offense OWI and all subsequent offenses criminal, requiring imprisonment. This change would drastically increase the number of criminal cases, particularly of those whose blood alcohol concentration (BAC) is at or just above 0.15. There would be arguments regarding alcohol curves and a significant increase in the number of trials. 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 75% of all cases have preliminary hearings and many go to trial. $24,158 \times 75\% = 18,118.5$ cases.

$18,118.5 \text{ cases} \times 6.32 \text{ hours (dif. between felony and misdemeanor)} = 114,509 \text{ hours}$

$114,509 \text{ hours divided by } 1,227 \text{ (hours annually available to ADAs for casework)} = 93.32 \text{ ADAs needed.}$

In 2007 there were 1,902 fourth offense OWI cases.

$1,902 \text{ cases} \times 6.32 \text{ hours (dif. between felony and misdemeanor)} = 12,020 \text{ hours}$

$12,020 \text{ hours divided by } 1,227 = 9.80 \text{ ADAs needed.}$

The impact of this law change could require 103.12 ADAs ($93.32 + 9.80$)

Annual salary = \$47,036

Annual fringe = \$18,433

TOTAL = \$65,469 x 103.12 ADAs = \$6,751,163.

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.