

Fiscal Estimate - 2009 Session

Original Updated Corrected Supplemental

LRB Number 09-2202/1		Introduction Number AB-0192	
Description Battery to a highway construction or maintenance worker and providing a penalty			
Fiscal Effect			
State:			
<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 checked="" 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 checked="" 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	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 checked="" type="checkbox"/> Decrease Costs	4. <input type="checkbox"/> Decrease Revenue	<input checked="" type="checkbox"/> Counties	<input type="checkbox"/> Others
<input checked="" 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		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

DOC 4/13/2009

LRB Number	09-2202/1	Introduction Number	AB-0192	Estimate Type	Original
Description Battery to a highway construction or maintenance worker and providing a penalty					

Assumptions Used in Arriving at Fiscal Estimate

Under current law, causing bodily harm to another person is a Class A misdemeanor and carries a maximum term of nine months in jail. Current law increases this penalty to a Class I felony (maximum of 1.5 years confinement and 2 years of extended supervision), if the battery is against emergency care providers or certain other government officials and employees.

This bill adds highway construction and maintenance workers to the individuals who would be covered under the Class I felony penalty. Although the Department cannot predict the number of offenders who may be subject to these enhanced criminal penalties or what the judges sentencing practices will be, enactment of this legislation could result in increased costs to the Department, if offenders who were previously sentenced for a Class A misdemeanor are now sentenced to prison for a Class I felony.

In FY08 the annual cost of an inmate in a DOC institution was approximately \$30,300. 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 was approximately \$4,600, in FY08. 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 was \$2,400 in FY08.

Local county jails could see a decrease in costs if offenders who were previously sentenced to up to nine months in county jails are now sentenced to prison.

Long-Range Fiscal Implications