

Fiscal Estimate - 2009 Session

Original
 Updated
 Corrected
 Supplemental

LRB Number 09-0299/1	Introduction Number AB-0549
Description Psychological evaluations for law enforcement officers, providing an exemption from emergency rule procedures, and requiring the exercise of rule-making authority	
Fiscal Effect	
State:	
<input type="checkbox"/> No State Fiscal Effect <input checked="" type="checkbox"/> Indeterminate	
<input type="checkbox"/> Increase Existing Appropriations <input type="checkbox"/> Decrease Existing Appropriations <input type="checkbox"/> Create New Appropriations	<input type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Decrease Existing Revenues <input checked="" type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget <input checked="" 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 <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 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
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	
<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	
Agency/Prepared By	Authorized Signature
DOJ/ Mark Rinehart (608) 264-9463	Mark Rinehart (608) 264-9463
Date	
12/4/2009	

Fiscal Estimate Narratives

DOJ 12/4/2009

LRB Number	09-0299/1	Introduction Number	AB-0549	Estimate Type	Original
Description Psychological evaluations for law enforcement officers, providing an exemption from emergency rule procedures, and requiring the exercise of rule-making authority					

Assumptions Used in Arriving at Fiscal Estimate

Under current law, the Law Enforcement Standards Board (LESB) is attached to the Department of Justice (DOJ) and DOJ shall supply the staffing needs of the LESB.

Under 2009 Assembly Bill 549, no person may be appointed as a full-time law enforcement or tribal law enforcement officer on or after January 1, 2010, unless the person receives an evaluation by a licensed psychologist and the evaluation is reviewed by the appointing authority. AB 549 requires the LESB to promulgate rules regarding the content of the psychological evaluation and to submit a report to the legislature by April 1, 2011, on the effect of requiring psychological evaluations and whether the requirement should be extended to part-time officers and officers who serve on special weapons and tactics units.

State Impact:

Since DOJ is required to supply the staffing needs of the LESB, DOJ will incur costs assisting the LESB with its new duties and responsibilities under AB 549. DOJ anticipates having to facilitate the LESB's efforts to: 1) convene and/or interview mental health experts to determine the proper content of a psychological evaluation for law enforcement candidates; and 2) conduct a study and submit a report that evaluates the effectiveness of requiring psychological evaluations for law enforcement candidates and that recommends whether psychological evaluations should be required for others. In addition, AB 549 will necessitate that DOJ make modifications to existing documents and a database used to implement current LESB policies. DOJ estimates that these costs will total approximately \$25,000.

DOJ believes that the psychological evaluations required by AB 549 will cost between \$500 and \$1,000. AB 549 is silent on who will pay for the psychological evaluations. DOJ hires 5 special agents in an average year. If DOJ pays for the evaluations of its law enforcement candidates, AB 549 will cost DOJ between \$2,500 and \$5,000 annually.

DOJ anticipates that it will be able to absorb these estimated costs. If the costs are significantly higher, DOJ will not be able to absorb them and will need additional resources.

Local Impact:

Under current law, it is permissible for a city, village, or county law enforcement agency to require a law enforcement candidate to be subject to a psychological evaluation prior to gaining employment with the agency. As stated above, under AB 549, all full-time law enforcement candidates will be required to have a psychological evaluation. Any local agency that does not pass the costs of candidate evaluations on to the candidates will incur the costs of those evaluations.

Long-Range Fiscal Implications