

Fiscal Estimate Narratives

DOC 3/2/2010

LRB Number 09-4161/1	Introduction Number AB-0775	Estimate Type Original
Description Throwing or expelling a bodily substance at a public safety worker and providing a penalty		

Assumptions Used in Arriving at Fiscal Estimate

Under current law, any person who throws or expels a bodily substance, such as blood, semen, vomit, saliva, urine, or feces, at an emergency medical technician, a first responder, a law enforcement officer, a fire fighter, or a person operating or staffing an ambulance (public safety worker) is guilty of a Class I felony if the person intends to cause bodily harm to the public safety worker. This bill eliminates the element that the person intends to cause bodily harm to the public safety worker.

The Department of Corrections is unable to estimate the number of offenders who may be convicted under the provisions of this bill. The average FY09 annual cost for an inmate in a DOC institution is approximately \$31,800. 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 is approximately \$4,900, based on FY09 costs. 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.

State costs could also increase if additional offenders are convicted of this crime and placed on probation. The annual cost to supervise one offender is approximately \$2600. County jails would experience increased costs if offenders are sentenced to jail as a condition of probation. Since we don't have any data that would assist us in predicting how many offenders will be convicted under the provisions of the bill, it is not possible to estimate the fiscal impact.

Long-Range Fiscal Implications