

Fiscal Estimate - 2011 Session

Original
 Updated
 Corrected
 Supplemental

LRB Number 11-2257/1	Introduction Number SB-400	
Description Reorganization of chapter 49 of the statutes, changes affecting public assistance programs, granting rule-making authority, 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"/> 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 type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Decrease Costs	
Local:		
<input type="checkbox"/> No Local Government Costs <input checked="" type="checkbox"/> Indeterminate		
1. <input checked="" type="checkbox"/> Increase Costs <input type="checkbox"/> Permissive <input checked="" 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 checked="" type="checkbox"/> Cities <input checked="" type="checkbox"/> Counties <input type="checkbox"/> Others <input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts		
Fund Sources Affected		
<input checked="" type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS 20.550(1)(d)		
Affected Ch. 20 Appropriations		
Agency/Prepared By	Authorized Signature	Date
SPD/ Anna Oehler (608) 267-0311	Adam Plotkin (608) 264-8572	2/14/2012

Fiscal Estimate Narratives

SPD 2/14/2012

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Description Reorganization of chapter 49 of the statutes, changes affecting public assistance programs, granting rule-making authority, and providing a penalty					

Assumptions Used in Arriving at Fiscal Estimate

The State Public Defender (SPD) is statutorily authorized and required to appoint attorneys to represent indigent defendants in criminal proceedings. The SPD plays a critical role in ensuring that the Wisconsin justice system complies with the right to counsel provided by both the state and federal constitutions. Any legislation has the potential to increase SPD costs if it creates a new criminal offense, expands the definition of an existing criminal offense, or increases the penalties for an existing offense.

This bill updates the statutory references for several current offenses for fraud within an economic support program including Wisconsin Works, Medical Assistance, and supplemental nutrition programs. The offenses vary based, in most cases, on the value of the services. Criminal penalties range from a Class C misdemeanor to a Class G felony. In FY2011, the SPD's average cost to provide representation with a private bar attorney in a misdemeanor case was \$225.41 and in a felony case was \$613.83.

Because these are current crimes the SPD has no data to predict if there would be an increase in the number of cases as a result of this bill. Because of the annual caseloads for staff attorney positions specified for budgeting purposes under § 977.08(5), it would be more cost effective to add staff attorney positions should the bill result in a number of additional charges.

Long-Range Fiscal Implications