

Fiscal Estimate Narratives

CTS 1/9/2012

LRB Number	11-1854/1	Introduction Number	SB-127	Estimate Type	Original
Description Aggravating factors for a court to consider when sentencing persons					

Assumptions Used in Arriving at Fiscal Estimate

The law currently requires the sentencing court to consider various aggravating and mitigating factors at the time of sentencing. This bill adds an additional aggravating factor that a court must consider at sentencing, if the crime involves an act of domestic abuse. The factor to be considered is whether the act was committed in the presence of a child or could be seen or heard by a child. It would also apply if the defendant knew or had reason to know that the act would be seen or heard by a child.

The court already is required to consider aggravating and mitigating factors at sentencing. This estimate assumes the number of sentencing hearings conducted would not change. Therefore, this bill will not have a fiscal impact on the circuit courts.

This bill could result in longer sentences or terms of probation being imposed because the court is required to consider this additional aggravating factor. Longer sentences or terms of probation could increase the costs incurred by the Department of Corrections or by the counties, if the sentence was to be served in the county jail. These increased costs are impossible to estimate.

Long-Range Fiscal Implications