

### Fiscal Estimate - 2011 Session

Original     
  Updated     
  Corrected     
  Supplemental

<b>LRB Number</b> <b>11-0079/2</b>	<b>Introduction Number</b> <b>AB-0199</b>	
<b>Description</b> Creating a civil cause of action for acts of violence motivated by gender, making crimes based on gender of victim subject to a penalty enhancer, and providing a penalty.		
<b>Fiscal Effect</b>		
<b>State:</b> <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		
<b>Local:</b> <input type="checkbox"/> No Local Government Costs <input checked="" type="checkbox"/> Indeterminate 1. <input checked="" type="checkbox"/> Increase Costs                  3. <input type="checkbox"/> Increase Revenue                  5. Types of Local Government Units Affected <input type="checkbox"/> Permissive <input checked="" type="checkbox"/> Mandatory <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Towns <input type="checkbox"/> Village <input checked="" type="checkbox"/> Cities 2. <input type="checkbox"/> Decrease Costs                  4. <input type="checkbox"/> Decrease Revenue <input checked="" type="checkbox"/> Counties <input type="checkbox"/> Others <input 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		
<b>Fund Sources Affected</b> <b>Affected Ch. 20 Appropriations</b> <input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS		
<b>Agency/Prepared By</b> DOC/ Anna Oehler (608) 240-5524	<b>Authorized Signature</b> Melissa Roberts (608) 240-5055	<b>Date</b> 7/15/2011

## Fiscal Estimate Narratives

DOC 7/15/2011

LRB Number	11-0079/2	Introduction Number	AB-0199	Estimate Type	Original
<b>Description</b> Creating a civil cause of action for acts of violence motivated by gender, making crimes based on gender of victim subject to a penalty enhancer, and providing a penalty.					

### Assumptions Used in Arriving at Fiscal Estimate

This bill creates a civil cause of action for a person who suffers physical, emotional or economic harm as a result of a gender-based act. A victim must commence a civil action within seven years after the gender-based act occurred or, if the victim is under 18 years of age, within seven years after the victim's 18th birthday. This bill also makes a crime based on gender of the victim subject to a penalty enhancer. The penalty enhancer increases the maximum fines, imprisonment terms and crime status, from a misdemeanor to a felony, dependent on the underlying crime.

The Department of Corrections is unable to estimate the number of offenders who will be subject to the new criminal penalty provisions of this bill, and therefore is unable to estimate the state fiscal impact. However, if additional offenders are convicted, the Department will see increased costs.

In FY10 the annual cost of an inmate in a DOC institution was approximately \$32,100. 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 \$5,100, based on FY10 costs. Should the Department use contract beds, the rate would be approximately \$18,800 annually per person. The annual cost for community supervision was \$2,800 in FY10.

A local impact will also occur if an adult offender is sentenced to a jail term under the provisions of this bill. A local fiscal impact cannot be estimated.

### Long-Range Fiscal Implications