

Fiscal Estimate - 2011 Session

Original
 Updated
 Corrected
 Supplemental

LRB Number 11-2166/1	Introduction Number SB-145
Description 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.	
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 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
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Date	
7/11/2011	

Fiscal Estimate Narratives

DOC 7/11/2011

LRB Number	11-2166/1	Introduction Number	SB-145	Estimate Type	Original
Description 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