

Fiscal Estimate - 2011 Session

Original
 Updated
 Corrected
 Supplemental

LRB Number 11-1741/1		Introduction Number SB-076	
Description Costs of administering tests for intoxication			
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 type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Decrease Costs	
Local:			
<input type="checkbox"/> No Local Government Costs <input checked="" type="checkbox"/> Indeterminate			
1. <input type="checkbox"/> Increase Costs <input type="checkbox"/> Permissive <input 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 checked="" type="checkbox"/> Towns <input checked="" 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		Affected Ch. 20 Appropriations	
<input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS			
Agency/Prepared By		Authorized Signature	Date
DOT/ Zachary Wyatt (608) 266-0403		Stephanie LaSage (608) 267-3703	5/19/2011

Fiscal Estimate Narratives

DOT 5/19/2011

LRB Number 11-1741/1	Introduction Number SB-076	Estimate Type Original
Description Costs of administering tests for intoxication		

Assumptions Used in Arriving at Fiscal Estimate

Under current law, an individual arrested for operating a motor vehicle while intoxicated may be asked to provide a sample of breath, blood, or urine for analysis. The actual costs associated with blood analysis vary, but are paid for by the law enforcement agency requesting the analysis. SB-76 would shift the cost of that analysis to the individual accused of operating while intoxicated, if they are found guilty of that violation.

REVENUES. The Wisconsin Division of State Patrol (DSP) spent \$60,151 in FY10 on 840 blood draws. The actual charge per blood draw varies widely depending on the facility that is performing the task; DSP has been billed as little as \$15 and as much as \$200 per draw. For our purposes, we will use the aforementioned figures and assume an average cost of \$71.61 per draw.

Assuming that DSP requests 840 blood draws, with approximately 95% resulting in a BAC over 0.08 or with a detectable prohibited drug, 798 individuals would be charged with having a prohibited concentration of intoxicants. Assuming a 92% conviction rate, 734 individuals would be required to pay the costs incurred by DSP.

Assuming only 67% of convicted offenders will actually pay their court-ordered forfeitures, approximately 492 individuals would reimburse DSP. Assuming an average cost of \$71.61 per blood draw, DSP might recover \$35,232.12 per year.

COSTS. The bill requires courts to collect all costs from the offender to reimburse the arresting law enforcement agency for the withdrawal of blood. This would require a system of individualized billing for each offender. DSP currently has no method of assigning bills for individual blood draws to the responsible individual. Thus, DSP has no method for matching payment received from a court to a specific expenditure. It can be assumed that this will be a similar challenge for local law enforcement agencies.

As mentioned previously, DSP might expect to recover approximately \$35,000 annually in the form of reimbursements. If total costs associated with creating a billing mechanism exceed \$35,000, billing costs will exceed revenues. This is especially relevant at the local level. DSP initiates a large number of blood draws, providing a large potential pool of reimbursement to offset the cost of developing billing methodology. Local law enforcement agencies initiate a lower number of blood draws, and would therefore have a smaller pool of reimbursement funds to offset the cost of billing.

Long-Range Fiscal Implications

Fiscal Estimate Worksheet - 2011 Session

Detailed Estimate of Annual Fiscal Effect

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Description Costs of administering tests for intoxication			
I. One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect):			
In order to assign bills for individual blood draws to the responsible individual, the Division of State Patrol would have to develop a system of individualized billing for each offender. The exact procedure that would be required is unknown, therefore it is unknown what the cost would be.			
II. Annualized Costs:		Annualized Fiscal Impact on funds from:	
		Increased Costs	Decreased Costs
A. State Costs by Category			
State Operations - Salaries and Fringes	\$		\$
(FTE Position Changes)			
State Operations - Other Costs			-35,000
Local Assistance			
Aids to Individuals or Organizations			
TOTAL State Costs by Category	\$		\$-35,000
B. State Costs by Source of Funds			
GPR			
FED			
PRO/PRS (Driver Imp Surcharge)			-35,000
SEG/SEG-S			
III. State Revenues - Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fee, etc.)			
	Increased Rev		Decreased Rev
GPR Taxes	\$		\$
GPR Earned			
FED			
PRO/PRS			
SEG/SEG-S			
TOTAL State Revenues	\$		\$
NET ANNUALIZED FISCAL IMPACT			
	<u>State</u>		<u>Local</u>
NET CHANGE IN COSTS	\$-35,000		\$
NET CHANGE IN REVENUE	\$		\$
Agency/Prepared By		Authorized Signature	Date
DOT/ Zachary Wyatt (608) 266-0403		Stephanie LaSage (608) 267-3703	5/19/2011