

Fiscal Estimate - 2013 Session

Original
 Updated
 Corrected
 Supplemental

LRB Number 13-1854/1	Introduction Number SB-171
Description Theft of communication and video services, civil damages resulting from the theft of certain services, and providing penalties	
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 checked="" 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 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 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
CTS/ Nancy Rottier (608) 267-9733	Nancy Rottier (608) 267-9733
Date	
6/24/2013	

Fiscal Estimate Narratives

CTS 6/24/2013

LRB Number	13-1854/1	Introduction Number	SB-171	Estimate Type	Original
Description Theft of communication and video services, civil damages resulting from the theft of certain services, and providing penalties					

Assumptions Used in Arriving at Fiscal Estimate

This bill increases the penalty for obtaining either telecommunications service or video service without making payment for the services. Currently, violation of these provisions is punishable as a forfeiture. These bills make the violation a Class C misdemeanor. The bill also allows a court to award reasonable attorney fees to the injured party in a civil suit alleging theft of telecommunications or video services.

The more significant the penalty involved in a case, the greater the judicial resources that are required to process a case. A misdemeanor case takes significantly greater judicial time and resources than a forfeiture case. A felony takes significantly greater judicial time and resources than a misdemeanor.

To determine the impact on required judicial resources, we have relied on the Judicial Needs Assessment 2006, submitted to the Director of State Courts by the National Center for State Courts. For this study, all Wisconsin judges and court commissioners participated in a time study designed to measure the time currently spent processing different types of cases from initial filing to final resolution. According to the study, traffic or ordinance violations that result in forfeitures took 7.5 minutes of judicial time, while misdemeanor cases took 27.7 minutes of judicial time.

It is impossible to predict how many such crimes will be filed in the circuit court. Additional proceedings require additional judge, court reporter, court staff and juror time. These costs are borne by both the state and the county. An accurate estimate of the additional costs is impossible with the data available.

It is also impossible to predict whether the provision allowing the award of reasonable attorney fees will increase the number of civil actions filed relating to the theft of telecommunications or video services.

Long-Range Fiscal Implications