

Fiscal Estimate - 2013 Session

Original
 Updated
 Corrected
 Supplemental

LRB Number 13-4132/1	Introduction Number SB-549	
Description Development of a system of short-term sanctions for individuals who violate conditions of extended supervision, parole, probation, or a deferred prosecution agreement and granting rule-making authority		
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 3. <input type="checkbox"/> Increase Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 2. <input type="checkbox"/> Decrease Costs 4. <input type="checkbox"/> Decrease Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <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 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		
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Fiscal Estimate Narratives

DA 2/6/2014

LRB Number	13-4132/1	Introduction Number	SB-549	Estimate Type	Original
Description Development of a system of short-term sanctions for individuals who violate conditions of extended supervision, parole, probation, or a deferred prosecution agreement and granting rule-making authority					

Assumptions Used in Arriving at Fiscal Estimate

This bill requires the Department of Corrections to develop a system of short-term sanctions for violations of conditions of release and permits the sanctions to be imposed on the individual. In addition, the bill allows a District Attorney to use the short-term sanctions system for violations of a deferred prosecution agreement.

District Attorneys (DAs) provided different opinions regarding the potential effect of this bill on their offices. There is concern regarding what procedure would be established for the DA to impose sanctions for rule violations when a deferred agreement exists. It is possible that additional court hearings or motions could be required, which would increase prosecutors' workload.

In some counties, a deferred prosecution agreement requires a defendant to enter a "No Contest" plea as part of a deferred conviction agreement; consequently, short-term sanctions are not necessary because the DA can simply file for revocation and proceed to sentencing.

Because the deferred prosecution agreements vary in different prosecutorial units, it is difficult to estimate the potential cost of this bill. Therefore, a fiscal estimate is indeterminate.

Long-Range Fiscal Implications

Should this bill be enacted, it is difficult to estimate the potential long-term fiscal impact of this bill on the DA program.