

Fiscal Estimate - 2013 Session

Original Updated Corrected Supplemental

LRB Number 13-4354/1 **Introduction Number** SB-637

Description
 Eliminating voluntary intoxication as a defense to criminal liability

Fiscal Effect

State:
 No State Fiscal Effect
 Indeterminate
 Increase Existing Appropriations Increase Existing Revenues Increase Costs - May be possible to absorb within agency's budget
 Decrease Existing Appropriations Decrease Existing Revenues Yes No
 Create New Appropriations Decrease Costs

Local:
 No Local Government Costs
 Indeterminate
 1. Increase Costs 3. Increase Revenue
 Permissive Mandatory Permissive Mandatory
 2. Decrease Costs 4. Decrease Revenue
 Permissive Mandatory Permissive Mandatory
 5. Types of Local Government Units Affected
 Towns Village Cities
 Counties Others
 School Districts WTCS Districts

Fund Sources Affected **Affected Ch. 20 Appropriations**
 GPR FED PRO PRS SEG SEGS

Agency/Prepared By	Authorized Signature	Date
DA/ Phil Werner (608) 267-2700	James Langdon (608) 267-1001	2/28/2014

Fiscal Estimate Narratives

DA 2/28/2014

LRB Number	13-4354/1	Introduction Number	SB-637	Estimate Type	Original
Description Eliminating voluntary intoxication as a defense to criminal liability					

Assumptions Used in Arriving at Fiscal Estimate

Under current law, a person who has committed a crime while intoxicated or drugged, may use their intoxicated or drugged condition as a defense to criminal liability if: the person was involuntarily intoxicated or drugged and that made them incapable of distinguishing between right and wrong; or, the person's condition, whether voluntarily or involuntarily produced, made it impossible for the person to have had the intent necessary to commit the crime. Generally, involuntary intoxication is not a defense in the second situation if the charge is based on the person's criminal recklessness. This bill eliminates the defense of voluntary intoxication.

Prosecutors do not believe that elimination of the voluntary intoxication defense will have a fiscal impact on their offices.

Long-Range Fiscal Implications

Should this bill be enacted, prosecutors do not anticipate a long-term fiscal impact on their offices.