

Fiscal Estimate - 2013 Session

Original
 Updated
 Corrected
 Supplemental

LRB Number 13-2330/1	Introduction Number AB-0251
Description Allowing a county to seek reimbursement for expenses incurred in confining a prisoner in jail	
Fiscal Effect	
State: <input type="checkbox"/> No State Fiscal Effect <input type="checkbox"/> Indeterminate <input type="checkbox"/> Increase Existing Appropriations <input type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget <input type="checkbox"/> Decrease Existing Appropriations <input type="checkbox"/> Decrease Existing Revenues <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Create New Appropriations <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 checked="" type="checkbox"/> Increase Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input checked="" 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 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	
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Date 7/8/2013	

Fiscal Estimate Narratives

SPD 7/8/2013

LRB Number	13-2330/1	Introduction Number	AB-0251	Estimate Type	Original
Description Allowing a county to seek reimbursement for expenses incurred in confining a prisoner in jail					

Assumptions Used in Arriving at Fiscal Estimate

The State Public Defender (SPD) is statutorily authorized and required to appoint attorneys to represent indigent defendants in criminal and certain commitment proceedings. The SPD plays a critical role in ensuring that the Wisconsin justice system complies with the right to counsel provided by both the state and federal constitutions. Any legislation has the potential to increase SPD costs if it creates a new criminal offense, expands the definition of an existing criminal offense, or increases the penalties for an existing offense.

This bill allows a county to seek reimbursement for any expenses incurred by the county in relation to the crime for which a person was confined in jail, regardless of whether the person was sentenced to county jail, placed on probation or sentenced to a state prison. Current law allows the county to file a suit against a person for expenses if the person was placed on probation and confined in the county jail or is sentenced to a county jail.

The SPD is unable to estimate the amount of additional revenue to the county that might occur due to the provisions in the bill. Revenue estimates would be dependent on counties filing a suit against a person in circuit court and then actually collecting the funds if a person is required to pay for their confinement expenses.

Allowing counties to seek reimbursement of these costs reduces the ability for clients of the SPD to pay other fees and fines, including the modest cost of counsel charged by the SPD to provide representation. It is impossible to quantify the effect this might have on SPD collection of this program revenue.

Long-Range Fiscal Implications