

Fiscal Estimate - 2013 Session

Original
 Updated
 Corrected
 Supplemental

LRB Number 13-4145/1	Introduction Number AB-0707
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Description
 Extending the time certain injunctions remain in effect

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
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Local:

<input type="checkbox"/> No Local Government Costs <input checked="" type="checkbox"/> Indeterminate 1. <input checked="" type="checkbox"/> Increase Costs <input checked="" 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 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
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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 CTS/ Nancy Rottier (608) 267-9733	Authorized Signature Nancy Rottier (608) 267-9733	Date 2/18/2014
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Fiscal Estimate Narratives

CTS 2/18/2014

LRB Number	13-4145/1	Introduction Number	AB-0707	Estimate Type	Original
Description Extending the time certain injunctions remain in effect					

Assumptions Used in Arriving at Fiscal Estimate

This bill allows a court that has granted an injunction under ch. 813, Stats., to extend the number of years that injunction remains in effect, if certain conditions are met. In most actions under ch. 813, an injunction that is granted expires in 4 years. This bill would allow the court to order the injunction to remain in effect for up to 8 years (for most cases), if the court finds there is a substantial risk that the person may commit first-degree or second-degree homicide or first-degree, second-degree or third-degree sexual assault.

Additional court proceedings could be generated under the terms of this bill, if the court involved holds a hearing to determine whether there is a "substantial risk" of the various types of crimes listed in the bill. The bill does not require a hearing, but it is unlikely the court would have the evidence necessary to make the required finding without a hearing.

It is impossible to predict how many requests for extensions and hearings on those requests will be filed in the circuit courts. For comparison purposes, under the current statutes, there is an existing procedure for extending an injunction, if the injunction expires before the maximum period allowable for the injunction. Based on sample data from the circuit court case management system, this procedure is not used often.

Additional court proceedings, such as the hearings likely to occur under this bill, require additional judge, court reporter, and court staff 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 expected that existing court staff would absorb any additional proceedings.

Long-Range Fiscal Implications