



## Fiscal Estimate Narratives

DOT 3/20/2013

LRB Number	<b>13-1568/1</b>	Introduction Number	<b>SB-056</b>	Estimate Type	<b>Original</b>
<b>Description</b> Requiring a mandatory minimum sentence for causing bodily harm to another while driving while intoxicated and providing a penalty					

### Assumptions Used in Arriving at Fiscal Estimate

#### BILL SUMMARY

Under this bill, a person who causes injury to another person while operating a vehicle while intoxicated must serve at least six months in jail. If the injured person suffers substantial bodily harm, the offender is guilty of a Class H felony and must serve at least two years in prison, and if the injured person suffers great bodily harm, the offender is guilty of a Class F felony and must serve a minimum of three years in prison.

Under this bill, a person with a prior OWI is guilty of a Class H felony and must serve at least one year in prison if there was injury causing bodily harm and a minimum of three years in prison if the OWI related injury causes substantial bodily harm. If the injured party was a passenger in the person's car, a court may order the sentence be less than the minimum with the requirement that the court put its findings in writing.

This bill eliminates the doubling provision for OWI-related violations causing injury and eliminates the opportunity for a reduced sentence in exchange for completing probation and drug or alcohol treatment.

#### ASSUMPTIONS

This bill would eliminate the doubling provision for OWI-related violations causing injury and eliminates the opportunity for a reduced sentence in exchange for completing probation and drug or alcohol treatment while enhancing the jail/prison sentence.

The proposal would have no fiscal impact on the Department of Transportation. The fiscal impact would occur within the courts and county jails.

#### CONCLUSIONS

This bill has no impact on the Department of Transportation.

### Long-Range Fiscal Implications

See above.

## Fiscal Estimate Worksheet - 2013 Session

Detailed Estimate of Annual Fiscal Effect

Original     
  Updated     
  Corrected     
  Supplemental

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<b>Description</b> Requiring a mandatory minimum sentence for causing bodily harm to another while driving while intoxicated and providing a penalty			
<b>I. One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect):</b>			
<b>II. Annualized Costs:</b>		<b>Annualized Fiscal Impact on funds from:</b>	
		Increased Costs	Decreased Costs
<b>A. State Costs by Category</b>			
State Operations - Salaries and Fringes	\$		\$
(FTE Position Changes)			
State Operations - Other Costs			
Local Assistance			
Aids to Individuals or Organizations			
<b>TOTAL State Costs by Category</b>	<b>\$</b>		<b>\$</b>
<b>B. State Costs by Source of Funds</b>			
GPR			
FED			
PRO/PRS			
SEG/SEG-S			
<b>III. State Revenues - Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fee, etc.)</b>			
	Increased Rev		Decreased Rev
GPR Taxes	\$		\$
GPR Earned			
FED			
PRO/PRS			
SEG/SEG-S			
<b>TOTAL State Revenues</b>	<b>\$</b>		<b>\$</b>
<b>NET ANNUALIZED FISCAL IMPACT</b>			
	<u>State</u>		<u>Local</u>
NET CHANGE IN COSTS	\$		\$
NET CHANGE IN REVENUE	\$		\$
<b>Agency/Prepared By</b>			
DOT/ Megan Bergum (608) 266-1449		<b>Authorized Signature</b>	
		Stephanie LaSage (608) 267-3703	
			<b>Date</b>
			3/20/2013