

Fiscal Estimate Narratives

DOC 6/26/2015

LRB Number	15-2535/1	Introduction Number	SB-199	Estimate Type	Original
Description Possession of firearms by individuals who commit multiple or violent misdemeanor offenses and providing a criminal penalty					

Assumptions Used in Arriving at Fiscal Estimate

Under current law, a person is prohibited from possessing a firearm if he or she has been convicted of a felony, found not guilty of a felony by reason of mental disease or defect, or adjudicated delinquent for an act that if committed by an adult in Wisconsin would be a felony; or is subject to certain orders or injunctions prohibiting possession of a firearm. A person violating this prohibition is guilty of a Class G felony.

This bill proposes that a person may not possess a firearm for ten years after his or her most recent conviction if the person was (a) convicted of a violent misdemeanor or (b) convicted of three or more misdemeanors arising from separate occurrences within a five-year period.

The Department of Corrections (DOC) is unable to estimate the state fiscal effect of this bill, as it is unable to estimate how many individuals will be subject to the bill's new criminal penalty provisions. The precise cost of this legislation will ultimately depend on the number of offenders and the sentencing practices of judges.

While it is not possible to estimate the number of individuals that will be convicted of this crime, any increase in the prison population, either through new admissions or longer sentences, would have a financial impact on the DOC. The average FY14 annual cost for an inmate in a DOC institution is approximately \$32,800. However, when there is excess capacity in DOC facilities, the incremental costs (i.e. food, health care and clothing) of housing a small number of inmates is approximately \$5,700 based on FY14 costs. Should the Department use contract beds, the rate would be approximately \$18,800 annually per person.

If there is a large increase in the number of offenders convicted of this crime and placed on probation or extended supervision, additional community corrections funding and/or positions may be necessary to handle the population. The average FY14 annual cost to supervise one offender is approximately \$2,800.

The local fiscal impact of the bill cannot be estimated because the DOC is unable to predict the number of people that will be convicted of this crime and the sentencing practices of judges. Costs at the local level may increase if offenders are placed in jail rather than prison.

Long-Range Fiscal Implications