

Fiscal Estimate - 2015 Session

Original Updated Corrected Supplemental

LRB Number 15-2506/1		Introduction Number SB-200	
Description Investigation of a child abuse report in which a person who is not a caregiver of the child is suspected of permitting, allowing, or encouraging the child to engage in prostitution; and prohibiting prosecuting a person under the age of 18 with committing an act of prostitution			
Fiscal Effect			
State:			
<input type="checkbox"/> No State Fiscal Effect	<input type="checkbox"/> Increase Existing Revenues	<input type="checkbox"/> Increase Existing Revenues	<input type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget
<input checked="" type="checkbox"/> Indeterminate	<input type="checkbox"/> Increase Existing Appropriations	<input type="checkbox"/> Decrease Existing Revenues	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Decrease Existing Appropriations	<input type="checkbox"/> Create New Appropriations	<input checked="" type="checkbox"/> Decrease Costs	
Local:			
<input type="checkbox"/> No Local Government Costs	1. <input type="checkbox"/> Increase Costs	3. <input type="checkbox"/> Increase Revenue	5. Types of Local Government Units Affected
<input type="checkbox"/> Indeterminate	<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	
2. <input checked="" type="checkbox"/> Decrease Costs	<input type="checkbox"/> Permissive <input checked="" type="checkbox"/> Mandatory	4. <input type="checkbox"/> Decrease Revenue	
<input type="checkbox"/> Permissive <input checked="" type="checkbox"/> Mandatory	<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	<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 checked="" 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	Authorized Signature	Date	
SPD/ Anna Oehler (608) 267-0311	Adam Plotkin (608) 264-8572	6/22/2015	

Fiscal Estimate Narratives

SPD 6/22/2015

LRB Number	15-2506/1	Introduction Number	SB-200	Estimate Type	Original
Description Investigation of a child abuse report in which a person who is not a caregiver of the child is suspected of permitting, allowing, or encouraging the child to engage in prostitution; and prohibiting prosecuting a person under the age of 18 with committing an act of prostitution					

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.

Under this bill, a person who has not attained the age of 18 may not be prosecuted for committing an act of prostitution. The bill eliminates the option, for a person who is under the age of 18, of entering a consent decree or a deferred prosecution agreement. The bill requires the sheriff or police department to refer to an agency, and the agency to investigate, a case of child abuse in which a person who is not a caregiver of the child is suspected of permitting, allowing, or encouraging the child to engage in prostitution.

It is possible that given the impact of this bill to reduce criminal charges, the SPD will see a decrease in the number of cases in which it provides representation. We are unable, however, to quantify the number of cases that might not occur due to the provisions in the bill. The SPD's average cost to provide representation with a private bar attorney in a misdemeanor case was \$255.54 in a misdemeanor case in fiscal year 2014.

This bill could also have a fiscal impact on counties by reducing costs due to the reduced criminal charges.

Long-Range Fiscal Implications