

Fiscal Estimate Narratives

DA 9/16/2015

LRB Number	15-2731/1	Introduction Number	SB-256	Estimate Type	Original
Description Making a terrorist threat and providing a criminal penalty					

Assumptions Used in Arriving at Fiscal Estimate

Under current law, a person may not intentionally convey false information threatening to destroy property by explosives or threatening to release a chemical, biological, or radioactive substance.

Under this bill, no one may threaten to cause death or bodily injury to a person or their property by any of the following means: preventing the occupation of or causing the evacuation of buildings or modes of transportation; intending to cause serious public inconvenience; intending to cause public panic or fear; intending to cause an interruption or impairment of governmental operations or public communication, of transportation, or of a supply of water, gas, or other public service; or creating an unreasonable and substantial risk of causing one of these occurrences.

Prosecutors provided varied responses concerning the potential fiscal impact of this bill. Some stated that the enactment of this bill would not have any fiscal effect on their office. Others, however, indicated that it could be very costly to their offices for reasons which include: such cases could be extremely time-consuming and require a prosecutor's complete attention for a significant amount of time, thereby shifting the prosecutor's regular duties to other ADAs; and, the vague terms (e.g. - serious public inconvenience; serious public panic or fear) used in the bill likely will result in more trial court challenges and eventual appeals.

Because prosecutors did not reach a consensus regarding the potential fiscal effect of this bill, and because it is uncertain how many cases may be prosecuted, a fiscal estimate is indeterminate.

Long-Range Fiscal Implications

As stated above, prosecutors did not agree on the potential long-term effect of this bill on their offices, and they do not know how many cases could be charged; consequently, a long-term fiscal estimate is indeterminate.