

Fiscal Estimate - 2015 Session

Original
 Updated
 Corrected
 Supplemental

LRB Number 15-2731/1	Introduction Number SB-256
-----------------------------	-----------------------------------

Description
 Making a terrorist threat and providing a criminal penalty

Fiscal Effect

State:

No State Fiscal Effect
 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 type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Decrease Costs
--	--	---

Local:

No Local Government Costs
 Indeterminate

1. <input type="checkbox"/> Increase Costs <input 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 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 410	

Agency/Prepared By	Authorized Signature	Date
DOC/ Jokisch Jacob (608) 240-5415	Donald Friske (608) 240-5056	9/23/2015

Fiscal Estimate Narratives

DOC 9/23/2015

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, no person may intentionally convey false information threatening to destroy property by means of an explosive or threatening to release a chemical, biological, or radioactive substance. A person who does either of these is guilty of a Class I felony.

Under this bill, no person may threaten to cause the death of or bodily injury to any person or threaten to damage any person's property by any means under any of the following circumstances: 1) the actor intends to prevent the occupation of or cause the evacuation of a building, dwelling, school premises, vehicle, facility of public transportation, or place of public assembly or any room within a building, dwelling, or school premises; 2) the actor intends to cause serious public inconvenience; 3) the actor intends to cause serious public panic or fear; 4) the actor intends 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 5) the actor creates an unreasonable and substantial risk of causing one of these occurrences and is aware of that risk.

Under the bill, a person who violates this prohibition is guilty of a Class I felony, unless the person thereby contributes to the death of any person. In that case, the person is guilty of a Class G felony.

The Department is unable to determine the fiscal impact of the bill as it cannot predict the number of people that will be sentenced and the sentencing practices of judges under the new law.

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 placed on probation or extended supervision, additional community corrections funding and/or positions may be necessary to handle the population.

The local fiscal impact of the bill cannot be predicted because the Department of Corrections cannot predict the number of people that will be sentenced and the sentencing practices of judges under the new law. Costs at the local level may increase if offenders are placed in jail rather than prison. The average FY14 annual cost to jail an inmate was \$18,800.

Long-Range Fiscal Implications