

Fiscal Estimate Narratives

SPD 1/30/2015

LRB Number	15-0751/1	Introduction Number	AB-0013	Estimate Type	Original
Description Return of a seized firearm to the person who owns the firearm					

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.

This bill allows a person, who claims the right to possess a firearm, to apply to the court for return of a seized firearm. The bill details the timeline and reasons for the court to return the firearm to the owner.

The SPD would be unlikely to provide representation to a client eligible to petition the court for return of a seized firearm. In rare circumstances when SPD is already representing a client eligible to petition the court for return of the seized firearm, we could provide limited assistance in filing the petition. This bill is unlikely to have a significant fiscal effect on the SPD.

Long-Range Fiscal Implications