

Fiscal Estimate - 2015 Session

Original Updated Corrected Supplemental

LRB Number 15-1580/1	Introduction Number AB-0352	
Description Requiring persons accused of violating traffic laws and ordinances related to driving while intoxicated to appear in person in court		
Fiscal Effect		
State:		
<input checked="" type="checkbox"/> No State Fiscal Effect		
<input type="checkbox"/> Indeterminate		
<input type="checkbox"/> Increase Existing Appropriations	<input type="checkbox"/> Increase Existing Revenues	
<input type="checkbox"/> Decrease Existing Appropriations	<input type="checkbox"/> Decrease Existing Revenues	
<input type="checkbox"/> Create New Appropriations	<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:		
<input type="checkbox"/> No Local Government Costs		
<input checked="" type="checkbox"/> Indeterminate		
1. <input checked="" type="checkbox"/> Increase Costs	3. <input checked="" type="checkbox"/> Increase Revenue	
<input type="checkbox"/> Permissive <input checked="" type="checkbox"/> Mandatory	<input type="checkbox"/> Permissive <input checked="" type="checkbox"/> Mandatory	
2. <input type="checkbox"/> Decrease Costs	4. <input type="checkbox"/> Decrease Revenue	
<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	
5. Types of Local Government Units Affected		
<input checked="" type="checkbox"/> Towns	<input checked="" type="checkbox"/> Village	<input checked="" 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		
<input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS		
Affected Ch. 20 Appropriations		
Agency/Prepared By	Authorized Signature	Date
DOT/ Martin Broyles (608) 709-0103	Jennifer Peters (608) 267-6979	10/14/2015

Fiscal Estimate Narratives
DOT 10/14/2015

LRB Number	15-1580/1	Introduction Number	AB-0352	Estimate Type	Original
Description Requiring persons accused of violating traffic laws and ordinances related to driving while intoxicated to appear in person in court					

Assumptions Used in Arriving at Fiscal Estimate

This bill would require a mandatory court appearance for first-offense OWIs. In Wisconsin, first-time Operating While Intoxicated (OWI) offenses are treated as civil violations. Mandatory appearance for civil OWI violations is already required in many jurisdictions, but is not uniformly applied across the state. The initial appearance does not require the presence of the arresting officer.

In 2014, there were 17,675 first-offense OWI violations in Wisconsin.

A forfeiture cannot be imposed by the court without an appearance by the person before the court. Under the bill, if the person fails to appear in court, the court issues a warrant for the person's arrest so that the person may appear before the court in order for the court to impose the forfeiture. In addition, the bill requires the person to pay a \$300 surcharge to offset the costs of holding a hearing to impose the forfeiture, which is to be retained by the municipal court or the clerk of circuit court.

Long-Range Fiscal Implications

Indeterminate.