

### Fiscal Estimate - 2015 Session

Original       Updated       Corrected       Supplemental

LRB Number **15-1425/1**      Introduction Number **SB-029**

**Description**  
Obtaining a search warrant for certain civil violations

**Fiscal Effect**

**State:**

No State Fiscal Effect  
 Indeterminate

Increase Existing Appropriations       Increase Existing Revenues       Increase Costs - May be possible to absorb within agency's budget  
 Decrease Existing Appropriations       Decrease Existing Revenues       Yes       No  
 Create New Appropriations       Decrease Costs

**Local:**

No Local Government Costs  
 Indeterminate

1.  Increase Costs      3.  Increase Revenue  
 Permissive  Mandatory       Permissive  Mandatory  
2.  Decrease Costs      4.  Decrease Revenue  
 Permissive  Mandatory       Permissive  Mandatory

5. Types of Local Government Units Affected

Towns       Village       Cities  
 Counties       Others  
 School Districts       WTCS Districts

**Fund Sources Affected**      **Affected Ch. 20 Appropriations**

GPR     FED     PRO     PRS     SEG     SEGS

Agency/Prepared By	Authorized Signature	Date
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## Fiscal Estimate Narratives

DA 2/13/2015

LRB Number	<b>15-1425/1</b>	Introduction Number	<b>SB-029</b>	Estimate Type	<b>Original</b>
<b>Description</b> Obtaining a search warrant for certain civil violations					

### Assumptions Used in Arriving at Fiscal Estimate

Under current law, a court may authorize a search warrant allowing a law enforcement officer to search and seize anything that is the fruit of, or has been used in, the commission of a crime. This bill expands the authority of a court to authorize a search warrant in the case of a civil violation of the prohibitions against driving while having a prohibited alcohol concentration or while under the influence of an intoxicant and/or a controlled substance.

This bill will have an effect on District Attorney (DA) offices throughout the State. In larger counties, DA offices generally handle OWI 1st offense citations from the Sheriff's Department, Wisconsin State Patrol, and the DNR; whereas, municipal courts and city or town attorneys handle most of these cases in their jurisdictions. Many smaller counties do not have municipal courts, so the DA offices handle everything for their respective counties. However, it may be anticipated that in most counties DA offices will be called upon by all law enforcement agencies to assist with search warrants on refusals, as is the protocol in all criminal cases when they need a search warrant for an OWI blood draw.

It is difficult to provide a fiscal estimate should this bill be enacted because data is not available that identifies the number of vehicles for which law enforcement may seek a search warrant.

### Long-Range Fiscal Implications

Please see above for rationale regarding why it is difficult to provide a long-term fiscal estimate.