

Fiscal Estimate Narratives

DA 3/23/2018

LRB Number	17-2241/1	Introduction Number	AB-1040	Estimate Type	Original
Description Alternative sentencing for certain drunken driving and controlled substance offenses and providing a criminal penalty					

Assumptions Used in Arriving at Fiscal Estimate

This bill provides sentencing alternatives for persons who commit certain second or third offenses related to operating a motor vehicle while intoxicated (OWI). Under the bill, if a court places on probation a person who commits his or her second or third OWI-related offense and requires the person to take a therapeutically indicated dose of the drug naltrexone or follow a nonpharmacological treatment plan, the person is subject to the same fine he or she would be subject to under current law, but his or her period of imprisonment is reduced upon successfully completion of probation. For a second OWI-related offense the period of imprisonment is five to seven days. For a third OWI-related offense the period of imprisonment is not less than 14 days. A person may not be sentenced under this sentencing alternative or under another sentencing alternative for OWI-related offenses more than once in his or her lifetime.

District attorneys indicated that this legislation would have no fiscal impact on their offices.

Long-Range Fiscal Implications

There are no long-range fiscal implications on district attorney offices as a result of this legislation.