

Fiscal Estimate Narratives

DA 3/1/2017

LRB Number	17-0611/1	Introduction Number	SB-055	Estimate Type	Original
Description crimes subject to a mandatory minimum sentence					

Assumptions Used in Arriving at Fiscal Estimate

Current law imposes a mandatory minimum sentence for felony murder or second-degree intentional homicide if the person has been previously convicted of felony murder, second-degree intentional homicide, or a crime punishable by life imprisonment. The court must sentence the person to be confined in prison for at least three years and six months.

This bill increases the mandatory minimum sentence to five years and adds the following crimes to be subject to the mandatory minimum sentence if the person has been previously convicted of one of the crimes or a crime punishable by life imprisonment:

- first-degree or second-degree reckless homicide
- homicide by intoxicated use of a vehicle or firearm
- aggravated battery
- mayhem
- taking hostages
- kidnapping
- causing death by tampering with household products
- arson of buildings or damage by explosives
- carjacking
- armed robbery
- robbery of a financial institution
- physical abuse of a child
- child abduction
- child trafficking

Generally speaking, mandatory minimum sentences lead to more trials. Trials consume an inordinate amount of resources compared to guilty pleas. Due to the uncertainty of how many additional cases would go to trial, it is difficult to quantify the fiscal impact of this bill; consequently, a fiscal estimate is indeterminate.

Long-Range Fiscal Implications

For the reasons cited above, the long-term fiscal impact of this bill, if enacted, is indeterminate.