

Fiscal Estimate - 2017 Session

Original
 Updated
 Corrected
 Supplemental

LRB Number 17-2239/1	Introduction Number AB-0331	
Description expungement of records of certain crimes		
Fiscal Effect		
State: <input type="checkbox"/> No State Fiscal Effect <input checked="" type="checkbox"/> Indeterminate <div style="display: flex; justify-content: space-between;"> <div style="width: 30%;"> <input type="checkbox"/> Increase Existing Appropriations <input type="checkbox"/> Decrease Existing Appropriations <input type="checkbox"/> Create New Appropriations </div> <div style="width: 30%;"> <input type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Decrease Existing Revenues </div> <div style="width: 30%;"> <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 </div> </div>		
Local: <input type="checkbox"/> No Local Government Costs <input checked="" type="checkbox"/> Indeterminate <div style="display: flex; justify-content: space-between;"> <div style="width: 30%;"> 1. <input type="checkbox"/> Increase Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 2. <input type="checkbox"/> Decrease Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory </div> <div style="width: 30%;"> 3. <input type="checkbox"/> Increase Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 4. <input type="checkbox"/> Decrease Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory </div> <div style="width: 30%;"> 5. Types of Local Government Units Affected <input type="checkbox"/> Towns <input type="checkbox"/> Village <input type="checkbox"/> Cities <input type="checkbox"/> Counties <input type="checkbox"/> Others <input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts </div> </div>		
Fund Sources Affected Affected Ch. 20 Appropriations <input checked="" type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS		
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Fiscal Estimate Narratives

DOC 5/25/2017

LRB Number	17-2239/1	Introduction Number	AB-0331	Estimate Type	Original
Description expungement of records of certain crimes					

Assumptions Used in Arriving at Fiscal Estimate

Under current law, if a person commits a crime for which the maximum term of imprisonment is six years or less before he or she reaches the age of 25, a court may, at the time of sentencing, order that the court's record of the crime and conviction be expunged when the person successfully completes his or her sentence if the court finds that expunging the record will benefit the person and will not harm society.

This bill eliminates the requirement that only the sentencing court may make the expungement order and allows the individual wishing to have their record expunged to petition the court for expungement. In order for the person to be eligible for expungement, they must have successfully completed their sentence; paid all fines, costs, fees surcharges, and restitution; and if there are no pending charges against that individual. If the court does not grant an expungement, the person may file a subsequent petition no sooner than two years after the previous petition.

This bill also provides that if a person's record is expunged of a crime, the Department of Justice must redact any record of that crime when DOJ responds to a public records request. Finally, this bill also provides that, if a record is expunged of a crime, that the crime is not considered a conviction for employment purposes.

Under the proposed legislation, there will likely be an increase in expungement orders that the Department receives and processes.

The amount of time required to process orders at the county level would also likely increase under this bill. There would be additional requests made for records to be expunged and additional copies of court files made.

Since it is not possible to project how many additional expungement orders would need to be processed by the Department or by counties, it is not possible to determine the state or local cost increase resulting from this bill.

Long-Range Fiscal Implications