Fiscal Estimate - 2017 Session					
Original Dpdated	Corrected	Supplemental			
LRB Number 17-1977/1	Introduction Number	SB-073			
Description mandatory period of confinement for homicide b penalty	by intoxicated use of a vehicle and pro	oviding a criminal			
Fiscal Effect					
Appropriations Reve		warmacence#			
Permissive Mandatory Perm 2. Decrease Costs 4. Decr	ase Revenue nissive ☐ Mandatory rease Revenue nissive ☐ Mandatory missive ☐ Mandatory	Units			
Fund Sources Affected Affected Ch. 20 Appropriations					
GPR FED PRO PRS SEG SEGS					
Agency/Prepared By	Authorized Signature	Date			
SPD/ Adam Plotkin (608) 264-8572	Adam Plotkin (608) 264-8572	3/20/2017			

2017 0 I Tati .

Fiscal Estimate Narratives SPD 3/20/2017

LRB Number 17-1977/1	Introduction Number	SB-073	Estimate Type	Updated		
Description mandatory period of confinement for homicide by intoxicated use of a vehicle and providing a criminal penalty						

Assumptions Used in Arriving at Fiscal Estimate

The State Public Defender (SPD) is statutorily authorized and required to appoint attorneys to represent indigent defendants in criminal and certain commitment proceedings. The SPD plays a critical role in ensuring that the Wisconsin justice system complies with the right to counsel provided by both the state and federal constitutions. Any legislation has the potential to increase SPD costs if it creates a new criminal offense, expands the definition of an existing criminal offense, or increases the penalties for an existing offense.

Under this bill, a person who is convicted of homicide by intoxicated use of a vehicle must be sentenced to imprisonment and his or her period of confinement must be at least five years. Under the bill, if the decedent was a passenger in the person's car, a court may sentence the person to less than the minimum if the court finds that the best interests of the community will be served and that the public will not be harmed. If the court sentences a person to less than the minimum, the bill requires the court to put its findings on the record.

Because the bill imposes mandatory minimum penalties for an already existing crime, it is unlikely that the bill will result in significant additional cost to the SPD. There may be a slight cost increase as extended threat of incarceration may cause an increase in the number of cases resolved by trial rather than plea.

Long-Range Fiscal Implications