

### Fiscal Estimate - 2019 Session

Original     
  Updated     
  Corrected     
  Supplemental

<b>LRB Number</b> <b>19-2431/1</b>	<b>Introduction Number</b> <b>AB-0145</b>	
<b>Description</b> creation of a prosecutor board and a state prosecutors office; funding for the department of justice, assistant district attorneys, the public defender, and the courts; Public Defender Board regulation, and making an appropriation		
<b>Fiscal Effect</b>  <b>State:</b> <input type="checkbox"/> No State Fiscal Effect <input type="checkbox"/> Indeterminate <input checked="" type="checkbox"/> Increase Existing Appropriations <input type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget <input type="checkbox"/> Decrease Existing Appropriations <input type="checkbox"/> Decrease Existing Revenues <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Create New Appropriations <input type="checkbox"/> Decrease Costs		
<b>Local:</b> <input type="checkbox"/> No Local Government Costs <input type="checkbox"/> Indeterminate 1. <input type="checkbox"/> Increase Costs      3. <input type="checkbox"/> Increase Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 2. <input type="checkbox"/> Decrease Costs      4. <input type="checkbox"/> Decrease Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 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		
<b>Fund Sources Affected</b> <b>Affected Ch. 20 Appropriations</b> <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 20.550		
<b>Agency/Prepared By</b> SPD/ Martina Allen (608) 267-7734	<b>Authorized Signature</b> Adam Plotkin (608) 264-8572	<b>Date</b> 4/2/2019

## Fiscal Estimate Narratives

SPD 4/2/2019

LRB Number	19-2431/1	Introduction Number	AB-0145	Estimate Type	Original
<b>Description</b> creation of a prosecutor board and a state prosecutors office; funding for the department of justice, assistant district attorneys, the public defender, and the courts; Public Defender Board regulation, and making an appropriation					

### 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.

This bill creates a prosecutor board and a state prosecutors office. It also gives funding for the Department of Justice, Assistant District Attorneys, the Public Defender, and the courts. Under this bill, the Public Defender Board's authority is expanded.

The bill includes the appropriations necessary to cover the cost of the proposal. The bill provides \$16,612,700 in each fiscal year of the biennium for the increased private bar rate (from \$40 to \$70 per hour). This bill provides \$1,767,900 in FY2020 and \$3,535,800 in FY2021 to fund the assistant state public defender pay progression plan. Lastly, this bill provides \$250,000 in each fiscal year of the biennium for the SPD student loan payment pilot program.

### Long-Range Fiscal Implications