

Fiscal Estimate - 2019 Session

Original
 Updated
 Corrected
 Supplemental

LRB Number 19-2384/1	Introduction Number AB-0175
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Description
 causing bodily harm to a nurse and providing a penalty

Fiscal Effect

State:

No State Fiscal Effect
 Indeterminate

<input type="checkbox"/> Increase Existing Appropriations <input type="checkbox"/> Decrease Existing Appropriations <input type="checkbox"/> Create New Appropriations	<input type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Decrease Existing Revenues	<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
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Local:

No Local Government Costs
 Indeterminate

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	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	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
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Fund Sources Affected	Affected Ch. 20 Appropriations
<input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS	

Agency/Prepared By DA/ Kasey Deiss (608) 267-2700	Authorized Signature James Langdon (608) 264-6109	Date 6/4/2019
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Fiscal Estimate Narratives

DA 6/4/2019

LRB Number	19-2384/1	Introduction Number	AB-0175	Estimate Type	Original
Description causing bodily harm to a nurse and providing a penalty					

Assumptions Used in Arriving at Fiscal Estimate

Under current law, a person who intentionally causes bodily harm to another person without the other person's consent commits the crime of battery, a Class A misdemeanor. Under current law, the penalty for battery is increased in certain circumstances. For example, if a person commits battery against certain victims, such as fire fighters, jurors, or emergency medical care providers, the person is guilty of a Class H felony. This bill makes it a Class H felony to commit battery against a licensed registered nurse (RN), a licensed practical nurse (LPN), or an individual working under the supervision of an RN or LPN.

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Responsive prosecutors support the concept of adding additional protections to nurses to mirror the protections currently afforded to firefighters, EMTs and other first responders. As a general principle, felony cases consume more resources than misdemeanor cases. The DA Workload Analysis assumes it would take 2.91 hours of prosecutor time to resolve a misdemeanor battery while a felony level battery is assumed to take 8.49 hours to resolve. The instances of these types of cases (battery to nurses) is fairly rare and this change alone will not significantly affect the workload of any DA office. However, statewide DA offices remain 166 FTE prosecutors short of ideal staffing levels. To the extent that any proposed legislation places additional burdens on the DA offices, this Agency requests that it be offset with additional FTE.

Long-Range Fiscal Implications

This change in law will require additional prosecutor time to resolve these cases. Data with which to determine the scope of the resource increase is not available.