

Fiscal Estimate - 2019 Session

Original
 Updated
 Corrected
 Supplemental

LRB Number 19-2373/1	Introduction Number SB-161
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Description
 release of person after arrest for operating a motor vehicle while intoxicated

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 checked="" type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Decrease Costs
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Local:

No Local Government Costs
 Indeterminate

1. <input checked="" type="checkbox"/> Increase Costs <input type="checkbox"/> Permissive <input checked="" 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 checked="" type="checkbox"/> Cities <input checked="" 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	Authorized Signature	Date
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Fiscal Estimate Narratives

DOT 5/1/2019

LRB Number	19-2373/1	Introduction Number	SB-161	Estimate Type	Original
Description release of person after arrest for operating a motor vehicle while intoxicated					

Assumptions Used in Arriving at Fiscal Estimate

Under current law, a person arrested for certain OWI-related offenses may not be released from police custody until 12 hours have elapsed from the time of arrest, or until a chemical test shows that the person has an alcohol concentration of less than 0.04 or they are being released to their attorney, spouse, relative or other responsible adult (responsible party). This bill would eliminate the option of releasing the person to a responsible party.

The proposal would have a similar indeterminate fiscal impact on State Patrol operations. There is a potential for increased costs if troopers would encounter increased time transporting those arrested for alcohol concentration chemical testing resulting from the elimination of the ability to release the person to a responsible party.

In 2017, State Patrol arrested 1847 individuals suspected of drunk or impaired driving, but kept no statistics on the placement after arrest. If 20% of those arrested were released to family members, this bill will require the transport and detention of 369 arrestees. Each custody is estimated to require one hour of trooper time, for a total impact of 0.18 FTE.

The proposal would have an indeterminate fiscal impact on local governments. It generally appears the number of people who are arrested for OWI-related offenses and released to a responsible party is not tracked. Therefore, the amount of increased staff time and facility costs from potential additional jail time resulting from the elimination of ability to release those arrested for OWI-related charges to a responsible party cannot be calculated.

Long-Range Fiscal Implications