

### Fiscal Estimate - 2021 Session

Original     
  Updated     
  Corrected     
  Supplemental

<b>LRB Number</b> <b>21-4368/1</b>	<b>Introduction Number</b> <b>AB-0540</b>
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**Description**  
 possession of dogs by certain felony offenders and providing a penalty

**Fiscal Effect**

**State:**

- |  |  |   |
|--|--|---|
| <input type="checkbox"/> No State Fiscal Effect<br><input checked="" type="checkbox"/> Indeterminate<br><input type="checkbox"/> Increase Existing Appropriations<br><input type="checkbox"/> Decrease Existing Appropriations<br><input type="checkbox"/> Create New Appropriations | <input type="checkbox"/> Increase Existing Revenues<br><input type="checkbox"/> Decrease Existing Revenues | <input type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget<br><input type="checkbox"/> Yes <input type="checkbox"/> No<br><input type="checkbox"/> Decrease Costs |
|--|--|---|

**Local:**

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> No Local Government Costs<br><input checked="" type="checkbox"/> Indeterminate<br>1. <input type="checkbox"/> Increase Costs<br><input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory<br>2. <input type="checkbox"/> Decrease Costs<br><input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory | 3. <input type="checkbox"/> Increase Revenue<br><input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory<br>4. <input type="checkbox"/> Decrease Revenue<br><input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory | 5. Types of Local Government Units Affected<br><input type="checkbox"/> Towns <input type="checkbox"/> Village <input type="checkbox"/> Cities<br><input type="checkbox"/> Counties <input type="checkbox"/> Others<br><input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts |
|---|--|--|

**Fund Sources Affected** **Affected Ch. 20 Appropriations**

- GPR    FED    PRO    PRS    SEG    SEGS

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## Fiscal Estimate Narratives

DOC 9/23/2021

LRB Number	21-4368/1	Introduction Number	AB-0540	Estimate Type	Original
<b>Description</b> possession of dogs by certain felony offenders and providing a penalty					

### Assumptions Used in Arriving at Fiscal Estimate

This bill proposes creating several criminal penalty violations for certain felony offenders who are prohibited from possessing, controlling, or residing with a "vicious dog", as determined by a humane officer or a law enforcement officer under criteria specified in the bill.

The Department of Corrections (DOC) is unable to estimate the number of offenders who will be subject to the new criminal penalty provisions of this bill, and therefore is unable to estimate the state fiscal impact. The precise cost of this legislation will ultimately depend on the number of offenders and the sentencing practices of judges under the new penalty structure.

While it is not possible to estimate the number of individuals that will be convicted of this crime, any increase in the prison population, either through new admissions or longer sentences, would have a financial impact on the Department of Corrections. The average FY20 annual cost for a person in our (DOC's) care (PIOC) in a DOC institution is approximately \$36,200. However, when there is excess capacity in DOC facilities, the incremental costs (i.e. food, health care and clothing) of housing a small number of PIOC's is approximately \$7,000 based on FY20 costs. Should the Department use contract beds, the rate would be approximately \$18,800 annually per person.

If there is a large increase in the number of offenders (clients) convicted of this crime and placed on probation or extended supervision, additional community corrections funding and/or positions may be necessary to handle the population. The average FY20 annual cost to supervise one offender is approximately \$3,300.

The local fiscal impact of the bill cannot be estimated because DOC is unable to predict the number of people that will be convicted of this crime and the sentencing practices of judges. Costs at the local level may increase if offenders are placed in jail rather than prison or are sentenced to jail as a condition of probation. The average FY20 annual cost to jail inmates is \$18,800.

### Long-Range Fiscal Implications