

Fiscal Estimate - 2021 Session

Original
 Updated
 Corrected
 Supplemental

LRB Number 21-0436/1	Introduction Number AB-0067	
Description storage and processing of sexual assault kits and requiring the exercise of rule-making authority		
Fiscal Effect		
State:		
<input type="checkbox"/> No State Fiscal Effect <input type="checkbox"/> 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		
Local:		
<input type="checkbox"/> No Local Government Costs <input checked="" type="checkbox"/> 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 checked="" type="checkbox"/> Towns <input checked="" 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		
Fund Sources Affected	Affected Ch. 20 Appropriations	
<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	20.455 (2)(a)	
Agency/Prepared By	Authorized Signature	Date
DOJ/ Michelle Gauger (608) 267-6714	Christopher J McKinny (608) 264-6367	10/5/2021

Fiscal Estimate Narratives

DOJ 10/5/2021

LRB Number	21-0436/1	Introduction Number	AB-0067	Estimate Type	Original
Description storage and processing of sexual assault kits and requiring the exercise of rule-making authority					

Assumptions Used in Arriving at Fiscal Estimate

The bill requires law enforcement to submit a sexual assault kit to the Department of Justice Wisconsin State Crime Laboratories for processing, if the victim has consented to analysis, or to securely store the kit for a period of 10 years if the victim has not consented to analysis. Once the kit has been processed, the State Crime Laboratories are required to send it to the submitting law enforcement agency for the longer of a period of 50 years, or until the expiration of the statute of limitations, or until the end of the term of imprisonment or probation for a person convicted in the case.

The bill requires the Department of Justice to promulgate administrative rules to administer this provision.

The Department is further required to collect information on the number and nature of offenses committed in the state related to the sexual assault kits, and to publish data at least annually on law enforcement agency compliance with sexual assault kit reporting requirement.

The State Crime Laboratories have existing capacity to store a maximum of 3,200 sexual assault kits. It is not known whether this bill will increase the number of sexual assault kits that are received and stored each year. At current submission rates, the State Crime Laboratory may exceed storage capacity before the kits have reached the 10 year period. Between the implementation of the existing storage freezer in 2016 and 2020, the laboratories have stored 1,603 kits and have received an average of 370 kits per year over the last three years.

Year Kits Stored

2016 144
2017 348
2018 372
2019 377
2020 362

At this rate of receipt, the laboratories will need to increase freezer storage space in 2024 when the oldest kits will have been stored between 8-9 years. Adding freezer space to comply with the ten-year storage period will cost approximately \$100,000 in one-time costs and \$25,000 annually in additional rent and temperature monitoring.

The State Crime Laboratories are implementing a laboratory information management system that will include capacity for tracking sexual assault kits. The need for or cost of modifying the system to collect and report additional information from law enforcement agencies is not known but can likely be absorbed within existing resources.

Long-Range Fiscal Implications

Increasing Crime Laboratory storage capacity will cost \$100,000 in one-time costs in 2024 and \$25,000 annually thereafter.

Fiscal Estimate Worksheet - 2021 Session

Detailed Estimate of Annual Fiscal Effect

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Description storage and processing of sexual assault kits and requiring the exercise of rule-making authority		
I. One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect):		
\$100,000 GPR in 2024 to add freezer storage capacity.		
II. Annualized Costs:	Annualized Fiscal Impact on funds from:	
	Increased Costs Decreased Costs	
A. State Costs by Category		
State Operations - Salaries and Fringes	\$	\$
(FTE Position Changes)		
State Operations - Other Costs	25,000	
Local Assistance		
Aids to Individuals or Organizations		
TOTAL State Costs by Category	\$25,000	\$
B. State Costs by Source of Funds		
GPR	25,000	
FED		
PRO/PRS		
SEG/SEG-S		
III. State Revenues - Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fee, etc.)		
	Increased Rev	Decreased Rev
GPR Taxes	\$	\$
GPR Earned		
FED		
PRO/PRS		
SEG/SEG-S		
TOTAL State Revenues	\$	\$
NET ANNUALIZED FISCAL IMPACT		
	<u>State</u>	<u>Local</u>
NET CHANGE IN COSTS	\$25,000	\$
NET CHANGE IN REVENUE	\$	\$
Agency/Prepared By		
Authorized Signature		Date
DOJ/ Michelle Gauger (608) 267-6714		10/5/2021
Christopher J McKinny (608) 264-6367		