

### Fiscal Estimate - 2021 Session

Original                     
  Updated                     
  Corrected                     
  Supplemental

<b>LRB Number</b> <b>21-1665/1</b>	<b>Introduction Number</b> <b>SB-188</b>
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**Description**  
 recommendation to revoke extended supervision, parole, or probation if a person is charged with a crime and expunging a criminal record of a crime

**Fiscal Effect**

**State:**

No State Fiscal Effect  
 Indeterminate  
      Increase Existing Appropriations                     
  Increase Existing Revenues                     
  Increase Costs - May be possible to absorb within agency's budget  
      Decrease Existing Appropriations                     
  Decrease Existing Revenues                     
   
  Yes                       No  
      Create New Appropriations                     
  Decrease Costs

**Local:**

No Local Government Costs  
 Indeterminate

1.  Increase Costs                     
 3.  Increase Revenue                     
 5. Types of Local Government Units Affected  
      Permissive  Mandatory                     
      Permissive  Mandatory                     
      Towns                       Village                       Cities  
 2.  Decrease Costs                     
 4.  Decrease Revenue                     
      Counties                       Others  
      Permissive  Mandatory                     
      Permissive  Mandatory                     
      School Districts                       WTCS Districts

<b>Fund Sources Affected</b> <input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS	<b>Affected Ch. 20 Appropriations</b> 20.625 (1)(a)
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<b>Agency/Prepared By</b> CTS/ Caitlin Frederick (608) 267-1940	<b>Authorized Signature</b> Karley Downing (608) 267-5277	<b>Date</b> 10/28/2021
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## Fiscal Estimate Narratives

CTS 10/28/2021

LRB Number	21-1665/1	Introduction Number	SB-188	Estimate Type	Original
<b>Description</b> recommendation to revoke extended supervision, parole, or probation if a person is charged with a crime and expunging a criminal record of a crime					

### Assumptions Used in Arriving at Fiscal Estimate

Under current law, individuals released on extended supervision, parole or probation are subject to conditions or rules of the release. If they violate the rules they may be subject to sanctions, including revocation. This bill specifically requires the Department of Corrections to recommend revoking extended supervision, parole or probation if the person is charged with a crime while on release.

Current law also prescribes the circumstances under which a person's criminal record may be expunged of a crime. This bill prohibits the court from ordering a record of conviction expunged if the person had previously been convicted of a crime, including a crime for which the record had been expunged.

Current law requires expungement order be made at sentencing, and expungement cannot occur until after the sentence is complete, and the person has neither been convicted of a subsequent offense or did not satisfy conditions of probation. The bill adds criminal charges as a prohibition from expungement as well as if the individual violated probation and one year has not elapsed since the violation.

There is no fiscal impact to the court under this bill; however, Judges would have to be educated regarding the law changes in order to make decisions on eligibility for expungement, which would require additional staff time to complete.

### Long-Range Fiscal Implications