

Fiscal Estimate - 2023 Session

Original
 Updated
 Corrected
 Supplemental

LRB Number 23-0955/1	Introduction Number AB-0037
Description expungement of records of certain crimes and discrimination based on expunged conviction	
Fiscal Effect	
State:	
<input type="checkbox"/> No State Fiscal Effect <input checked="" 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 type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget <input type="checkbox"/> Decrease Costs
<div style="text-align: right; margin-right: 50px;"> <input type="checkbox"/> Yes <input type="checkbox"/> No </div>	
Local:	
<input type="checkbox"/> No Local Government Costs <input checked="" type="checkbox"/> 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	
Fund Sources Affected	
<input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS	
Affected Ch. 20 Appropriations	
Agency/Prepared By	Authorized Signature
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Date	
3/7/2023	

Fiscal Estimate Narratives

DOC 3/7/2023

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Description expungement of records of certain crimes and discrimination based on expunged conviction					

Assumptions Used in Arriving at Fiscal Estimate

Under current law, if a person who has not previously committed a felony commits a crime before the age of 25 that carries a maximum imprisonment term of six years or less, the court may, at sentencing, order the expungement of the criminal record upon completion of his or her sentence. This bill removes the age criteria for expungement and allows a person to request expungement from the sentencing court at least one year after successful completion of his or her sentence if it was not ordered at the time of sentencing. If the court denies the first petition, the person may file a second petition two years after they filed the first petition and pay a \$100 fee to the county. A person may not file more than two petitions per crime and is limited to one criminal record expungement. This bill also allows the sentencing court to order a person's record ineligible for expungement and makes certain traffic crimes, domestic violence violations, criminal trespass, and criminal damage to a business, ineligible for expungement.

Under the proposed legislation, there will likely be an increase in expungement orders that the Department receives and processes.

The amount of time required to process orders at the county level would also likely increase under the bill. There would be additional requests made for records to be expunged and additional copies of court files made.

Since it is not possible to project the increase in expungement orders that would need to be processed by the Department or by counties, it is not possible to determine the state or local cost increase resulting from this bill.

Long-Range Fiscal Implications