

Fiscal Estimate Narratives

DA 4/16/2025

LRB Number	25-2472/1	Introduction Number	SB-0172	Estimate Type	Original
Description prohibiting filing or recording contracts for services or materials that do not improve real estate and providing a penalty					

Assumptions Used in Arriving at Fiscal Estimate

Senate Bill 172 (SB-172) prohibits the filing or recording of non-improvement contracts or related documents with a register of deeds. The bill authorizes registers of deeds to reject such filings and establishes both civil and criminal penalties for violations, including a fine of up to \$10,000 or imprisonment for up to nine months. The bill also allows affected property owners to pursue a civil action for damages, and if successful, obtain release of the encumbrance and recover attorney's fees and costs.

The District Attorneys are responsible for prosecuting criminal cases, handling state forfeiture actions and traffic violations, cooperating on welfare fraud investigations, as well as participating in John Doe investigations, attending grand jury proceedings, representing the state in criminal appeals, initiating or appearing in civil actions and special proceedings, and enforcing various legal provisions, as authorized and prescribed under Chapter 978 of the Wisconsin State Statutes.

The District Attorneys do not anticipate a significant number of criminal prosecutions to arise from this proposed statutory change. Instances of fraudulent or improper lien filings are infrequent and, under current practice, are more commonly resolved through civil litigation than through criminal prosecution. Accordingly, the bill is not expected to result in a material increase in prosecutorial workload or require additional positions or resources, and therefore there is no anticipated fiscal impact to the District Attorneys.

Long-Range Fiscal Implications