

Fiscal Estimate - 2021 Session

Original
 Updated
 Corrected
 Supplemental

LRB Number 21-1149/1	Introduction Number AB-0139
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Description
 prostitution crime surcharge and making an appropriation

Fiscal Effect

State:

No State Fiscal Effect
 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"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Decrease Costs
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Local:

No Local Government Costs
 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
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Fund Sources Affected	Affected Ch. 20 Appropriations
<input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS	

Agency/Prepared By DA/ Kasey Deiss (608) 267-2700	Authorized Signature Jana Steinmetz (608) 267-9634	Date 3/10/2021
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Fiscal Estimate Narratives

DA 3/10/2021

LRB Number	21-1149/1	Introduction Number	AB-0139	Estimate Type	Original
Description prostitution crime surcharge and making an appropriation					

Assumptions Used in Arriving at Fiscal Estimate

This fiscal estimate is submitted by the Director of the State Prosecutors Office on behalf of Agency 475 – District Attorneys. This fiscal estimate is responsive only to the fiscal and resource effect of the proposed legislation on the District Attorney program.

This bill creates a \$5,000 surcharge to be imposed on persons who are convicted of patronizing or soliciting prostitutes, pandering, or keeping a place of prostitution. Under this bill the surcharge amounts collected are used for treatment and services for sex-trafficking victims and for criminal investigative operations and law enforcement relating to Internet crimes against children.

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Responsive District Attorneys, while appreciative of the concept of creating a surcharge to pay for treatment and services for sex-trafficking victims, expressed concern as to the amount of the surcharge. A surcharge set at a mandatory \$5,000 may make it more likely that a defendant would set a matter for trial rather than enter a plea. As the surcharge only takes effect if a fine is levied, judges understanding the economic realities of many defendants may be more apt to impose a jail sentence than levy a fine. Increasing the jail population would increase costs to local government costs.

Long-Range Fiscal Implications

Data with which to make a long-range fiscal estimate as to the effect of this bill is not available. It is expected that additional prosecutorial resources would be utilized in the District Attorney offices and costs would increase to local governments. The scope of either increase is unknown.