

Department of Planning and Budget 2001 Fiscal Impact Statement

1. Bill Number SB 1039

House of Origin	<input type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
Second House	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input checked="" type="checkbox"/> Enrolled

2. Patron Stolle

3. Committee Passed both houses.

4. Title Presentence reports

5. Summary/Purpose:

A resource available to a circuit court judge to use in determining the sentence to impose on a convicted person is the presentence investigative report (PSI) prepared by a probation officer. This report provides a history of the person, including his criminal history and any other relevant information. The statute sets out the following guidelines as to when a presentencing report is to be prepared:

?? Specified misdemeanors--The judge may order a PSI, unless the offender requests one, in which case, he shall order one.

?? Felony conviction, with a plea agreement--Discretionary with the judge.

?? Felony conviction, no plea agreement--PSI required.

The proposed bill would require the preparation of a PSI in felony sexual offense cases, regardless of whether there is a plea agreement.

6. Fiscal Impact: See Item No. 8.

7. Budget amendment necessary: None.

8. Fiscal implications:

This bill would increase the number of cases in which PSIs would be required and thus increase the workload of probation officers. However, according to data from the Department of Corrections (DOC), presentence reports are prepared now for about two-thirds of all persons convicted in circuit court. Therefore, any increase would be incremental. Furthermore, two years ago, in anticipation of pending legislation which would have required PSIs for all felony convictions, DOC was provided with additional probation officer positions. Finally, DOC has completed the automation of the PSI system, increasing its capability to prepare these reports. In summary, the department should be able to absorb the additional workload resulting from this bill with its existing resources.

9. Specific agency or political subdivisions affected:

Department of Corrections
Circuit courts

10. Technical amendment necessary: None.

11. Other comments: None.

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cc: Secretary of Public Safety

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