

FISCAL NOTE

	FY 2022	FY 2023	FY 2024
NON-ADMINISTRATIVE IMPACT			
Anticipated Revenue (decrease)			
SPECIAL REVENUE FUND	(\$130,256)		

	FY 2022	FY 2023	FY 2024
NON-ADMINISTRATIVE IMPACT			
Anticipated Expenditure (decrease)			
GENERAL FUND	(\$738,119)		
SPECIAL REVENUE FUND	(\$130,256)		

Source of revenue and expenditure (decrease):

The source of the revenue decrease stems from lower contributions from counties, which are obligated under W.S. 7-6-113 to augment 15% of the State Public Defender's (SPD) budget related to capital cases. The SPD also expects that for FY2022, it will see a decrease of approximately \$868,375 in expenditures related to capital cases, split between the GENERAL FUND (GF; \$738,199 or 85%) and SPECIAL REVENUE FUND (SR; \$130,256 or 15%).

Assumptions:

The SPD was appropriated \$500,000 (85% GF/15% SR) for the biennium for capital cases. It was also appropriated \$1,236,750 (85% GF/15% SR) for the Eaton capital resentencing in Natrona County. By eliminating the death penalty, the SPD would not be required to staff and fund capital cases, nor would it have to pay for continued work on resentencing in the Eaton case. The need to staff and fund capital cases with responsibilities that are complex, numerous and heightened and greater than lesser punishments, vary from year to year. If more than one capital case is assigned to the agency or is extraordinarily complex, the agency would likely experience costs greater than anticipated. While the bill would be effective immediately, the SPD provided its estimated impacts for fiscal year 2022 (beginning July 1, 2021).

Some of the expenditures decrease reflected could be considered administrative costs, primarily for 0900 series contract service, but for simplicity and to follow consistent practice on legislation of this type, it is included on the fiscal note.

The fiscal impact to the judicial system and the Department of Corrections (DOC) is indeterminable due to an unknown number of cases. The DOC states that there are no current inmates in its custody sentenced to death. Each year of incarceration costs approximately \$42,340 per inmate.

No significant fiscal or personnel impact to the Wyoming Attorney General's Office.

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