

**FISCAL NOTE**  
**LEGISLATIVE FISCAL ANALYST ESTIMATE**

<b>ESTIMATE OF FISCAL IMPACT – STATE AGENCIES</b> (See narrative for political subdivision estimates)				
	<b>FY 2013-14</b>		<b>FY 2014-15</b>	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS	31,514		32,177	
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
<b>TOTAL FUNDS</b>	<b>31,514</b>		<b>32,177</b>	

**Any Fiscal Notes received from state agencies and political subdivisions are attached following the Legislative Fiscal Analyst Estimate.**

This bill would change provisions relating to hearsay, child abuse, and offenses relating to morals. It requires the Crime Commission to establish and maintain a central repository for the collection and analysis of information regarding the offenses of labor trafficking, labor trafficking of a minor, sex trafficking, and sex trafficking of a minor. The bill also outright repeals section 28-832: Human trafficking; Attorney General; Department of Health and Human Services; duties.

The following table summarizes the fiscal impact estimated by the Crime Commission:

	FY2013-2014	FY2014-2015	FY2013-2014	FY2014-2015
ITEMS	Number of Positions		Expenditures	
Statistical Clerk II	0.50	0.50	15,725	16,118
Benefits			10,789	11,059
Operating+			4,000	4,000
Travel++			1,000	1,000
<b>TOTAL</b>	<b>0.50</b>	<b>0.50</b>	<b>31,514</b>	<b>32,177</b>

+ Operating includes costs for printing (training manuals for law enforcement agencies), data processing, software and hardware, and office supplies.

++ Travel is primarily for training to educate agencies on the new data requirements.

See the agency response following for additional details.

The Attorney General estimates no fiscal impact from this bill.

The Nebraska Department of Correctional Services (NDCS) states that this bill will have an indeterminate fiscal impact. Their response following lists the FY12 inmate per diem.

As of January 31, 2013, the inmate population was 145.01% of design capacity.

The Supreme Court estimates no fiscal impact from this bill under the assumptions outlined in their response. The Supreme Court notes any expenses would be from county funds allocated to the courts. See the Court's response following for additional details.

The Department of Health and Human Services notes a potential for a workload increase but at this time HHS is estimating no fiscal impact from this bill. See the agency response following for additional details.

ADMINISTRATIVE SERVICES-STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSES			
LB: <b>LB 255</b>	AM:	AGENCY/POLT. SUB: <b>Attorney General (011)</b>	
REVIEWED BY: Joe Wilcox		DATE: January 29 <sup>th</sup> , 2013	PHONE: <a href="tel:4024714178">(402) 471-4178</a>
COMMENTS: Concur with agency analysis of No fiscal impact on the Nebraska Attorney General's Office.			

ADMINISTRATIVE SERVICES-STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSES			
LB: <b>LB 255</b>	AM:	AGENCY/POLT. SUB: <b>Department of Correctional Services (046)</b>	
REVIEWED BY: Joe Wilcox		DATE: January 23 <sup>rd</sup> , 2013	PHONE: <a href="tel:4024714178">(402) 471-4178</a>
COMMENTS: No basis to dispute agency analysis of Indeterminate fiscal impact on the Department of Correctional Services.			

ADMINISTRATIVE SERVICES-STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSES			
LB: <b>LB 255</b>	AM:	AGENCY/POLT. SUB: <b>Crime Commission (078)</b>	
REVIEWED BY: Joe Wilcox		DATE: February 15 <sup>th</sup> , 2013	PHONE: <a href="tel:4024714178">(402) 471-4178</a>
COMMENTS: The estimate of fiscal impact by the Nebraska Commission on Law Enforcement and Criminal Justice (Crime Commission), includes costs for an additional 0.5 FTE (Statistical Clerk) and other costs to comply with the new requirements in LB 255, which directs the agency to establish and maintain a central repository for the collection and analysis of information regarding the offenses of labor trafficking and sex trafficking, as well as monitoring, recording, classifying, and analyzing information related to such offenses. Besides salary, the agency estimated costs include benefits for the half-time Clerk position, as well as operating costs. The agency estimate appears reasonable.			

ADMINISTRATIVE SERVICES-STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSES			
LB: <b>LB 255</b>	AM:	AGENCY/POLT. SUB: <b>Dept. of Health and Human Services (025)</b>	
REVIEWED BY: Joe Wilcox		DATE: February 19 <sup>th</sup> , 2013	PHONE: <a href="tel:4024714178">(402) 471-4178</a>
COMMENTS: The Department of Health and Human Services fiscal note provides no specific fiscal impact, only a number of potential impacts, which may or may not be required of the Department as a result of LB 255. Consequently, the agency lists No Fiscal Impact from the bill.			

ADMINISTRATIVE SERVICES-STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSES			
LB: <b>LB 255</b>	AM:	AGENCY/POLT. SUB: <b>Supreme Court (005)</b>	
REVIEWED BY: Joe Wilcox		DATE: February 19 <sup>th</sup> , 2013	PHONE: <a href="tel:4024714178">(402) 471-4178</a>
COMMENTS: The Supreme Court fiscal note makes certain assumptions about the bill, but no specific determination of fiscal impact on the agency from LB 255.			

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2013

LB<sup>(1)</sup> 255 FISCAL NOTE

State Agency OR Political Subdivision Name: <sup>(2)</sup> Attorney General

Prepared by: <sup>(3)</sup> John Freudenberg Date Prepared: <sup>(4)</sup> 1-16-13 Phone: <sup>(5)</sup> 471-2687

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	FY 2013-14		FY 2014-15	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS	_____	_____	_____	_____
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
TOTAL FUNDS	=====	=====	=====	=====

Return by date specified or 72 hours prior to public hearing, whichever is earlier.

Explanation of Estimate:

No Fiscal Impact.

MAJOR OBJECTS OF EXPENDITURE

Personal Services:

POSITION TITLE	NUMBER OF POSITIONS		2013-14 EXPENDITURES	2014-15 EXPENDITURES
	13-14	14-15		
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	_____	_____	_____	_____

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Please complete ALL (5) blanks in the first three lines.

**2013**

**LB<sup>(1)</sup> 255 FISCAL NOTE**

State Agency OR Political Subdivision Name: <sup>(2)</sup> NE Commission On Law Enforcement (Crime Commission)

Prepared by: <sup>(3)</sup> Bruce Ayers Date Prepared: <sup>(4)</sup> 2-14-2013 Phone: <sup>(5)</sup> 471-0359

**ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION**

	<u>FY 2013-14</u>		<u>FY 2014-15</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	<u>31,514</u>	<u>                    </u>	<u>32,177</u>	<u>                    </u>
CASH FUNDS	<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>                    </u>
FEDERAL FUNDS	<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>                    </u>
OTHER FUNDS	<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>                    </u>
<b>TOTAL FUNDS</b>	<u><b>31,514</b></u>	<u><b>                    </b></u>	<u><b>32,177</b></u>	<u><b>                    </b></u>

Return by date specified or 72 hours prior to public hearing, whichever is earlier.

Explanation of Estimate: Section 13 of LB 255 requires the Crime Commission to establish and maintain a central repository for the collection and analysis of information regarding the offenses of labor trafficking, labor trafficking of a minor, sex trafficking, and sex trafficking of a minor. After we establish this repository we are required to develop a procedure to monitor, record, classify, and analyze information relating to such offenses.

The Crime Commission has a small but highly experienced Information Technology staff. However, to absorb this additional workload we will need a .50 statistical clerk position and a small operating budget. This position will be responsible for monitoring court cases, identified electronically by statute numbers, and recording the data in a database for compilation and reporting. This will provide filing and disposition data. We will also use arrest data collected through our uniform crime reporting system. The cost of the position and operating costs are reflected in this fiscal note.

**MAJOR OBJECTS OF EXPENDITURE**

**Personal Services:**

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2013-14</u>	<u>2014-15</u>
	<u>13-14</u>	<u>14-15</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
Statistical Clerk II	<u>.50</u>	<u>.50</u>	<u>15,725</u>	<u>16,118</u>
Benefits.....			<u>10,789</u>	<u>11,059</u>
Operating.....			<u>4,000</u>	<u>4,000</u>
Travel.....			<u>1,000</u>	<u>1,000</u>
Capital outlay.....			<u>                    </u>	<u>                    </u>
Aid.....			<u>                    </u>	<u>                    </u>
Capital improvements.....			<u>                    </u>	<u>                    </u>
<b>TOTAL.....</b>			<u><b>31,514</b></u>	<u><b>32,177</b></u>

Please complete ALL (5) blanks in the first three lines.

2013

**LB<sup>(1)</sup> 255 FISCAL NOTE**

State Agency OR Political Subdivision Name: (2) Nebraska Department of Correctional Services (NDCS)

Prepared by: (3) Christina Peters Date Prepared: (4) 1/23/2013 Phone: (5) (402) 479-5702

**ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION**

	<u>FY 2013-14</u>		<u>FY 2014-15</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	<u>Indeterminable</u>	<u>                    </u>	<u>                    </u>	<u>                    </u>
CASH FUNDS	<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>                    </u>
FEDERAL FUNDS	<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>                    </u>
OTHER FUNDS	<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>                    </u>
TOTAL FUNDS	<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>                    </u>

Return by date specified or 72 hours prior to public hearing, whichever is earlier.

Explanation of Estimate:

Fiscal Impact – Indeterminable.

The impact on NDCS related to future admissions is not determinable. NDCS currently has custody of inmates with the following charges: Prostitution (Class III Misdemeanor) – 1; Pandering (Class IV Felony) – 2; Child Abuse – 138 (includes 71 at Class III-A Felony).

The FY12 per diem (cost per day of feeding, clothing, housing, medical, etc.) for an individual inmate was \$6,454 per year.

**MAJOR OBJECTS OF EXPENDITURE**

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2013-14</u>	<u>2014-15</u>
	<u>13-14</u>	<u>14-15</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>                    </u>
<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>                    </u>
Benefits.....				
Operating.....				
Travel.....				
Capital outlay.....				
Aid.....				
Capital improvements.....				
TOTAL.....				

**ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION**

State Agency or Political Subdivision Name:(2) Department of Health and Human Services

Prepared by: (3) Willard Bouwens

Date Prepared:(4) 2-15-13

Phone: (5) 471-8072

	<u>FY 2013-2014</u>		<u>FY 2014-2015</u>	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
<b>GENERAL FUNDS</b>				
<b>CASH FUNDS</b>				
<b>FEDERAL FUNDS</b>				
<b>OTHER FUNDS</b>				
<b>TOTAL FUNDS</b>	\$0	\$0	\$0	\$0

Return by date specified or 72 hours prior to public hearing, whichever is earlier.

**Explanation of Estimate:**

The bill potentially requires the Department to investigate a larger number of cases, because of the mandatory report law enforcement will be required to make. In addition, the bill could require the Department to investigate situations in which an alleged perpetrator is out of home. Those cases are currently investigated solely by law enforcement. These provisions could increase work load at both the Hotline and for initial assessment requiring additional staff, however the possible number of cases is unknown so the Department determines that there is no fiscal impact.

**MAJOR OBJECTS OF EXPENDITURE**

**PERSONAL SERVICES:**

POSITION TITLE	NUMBER OF POSITIONS		2013-2014 EXPENDITURES	2014-2015 EXPENDITURES
	13-14	14-15		
Benefits.....				
Operating.....				
Travel.....				
Capital Outlay.....				
Aid.....				
Capital Improvements.....				
<b>TOTAL.....</b>			<b>\$0</b>	<b>\$0</b>

Please complete ALL (5) blanks in the first three lines.

**2013**

**LB<sup>(1)</sup> 255 FISCAL NOTE**

State Agency OR Political Subdivision Name: <sup>(2)</sup> Supreme Court

Prepared by: <sup>(3)</sup> Eric Asboe Date Prepared: <sup>(4)</sup> 2/14/13 Phone: <sup>(5)</sup> 1-4138

**ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION**

	<u>FY 2013-14</u>		<u>FY 2014-15</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	_____	_____	_____	_____
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
TOTAL FUNDS	=====	=====	=====	=====

Return by date specified or 72 hours prior to public hearing, whichever is earlier.

Explanation of Estimate:

Section 4 of LB 255 requires courts to publish and update a list of those convicted of solicitation or attempted solicitation of prostitution and to mail a written notice to persons convicted that they will be included in the published list.

Assumptions:

1. Each individual court that had a conviction would maintain a list and mail the notices. There would be no central registry.
2. Since "publish" is not defined, this requirement could be fulfilled by a notice posted at the courthouse or notices in a local newspaper rather than, for example, a central website.

Based on these assumptions there would be no fiscal impact to the Supreme Court. Any expenses would be from county funds allocated to county and district courts.

If these assumptions are not correct, there could be a fiscal impact to the Supreme Court which would need to be determined.

**MAJOR OBJECTS OF EXPENDITURE**

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2013-14 EXPENDITURES</u>	<u>2014-15 EXPENDITURES</u>
	<u>13-14</u>	<u>14-15</u>		
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	_____	_____	_____	_____