

PREPARED BY: Doug Nichols  
 DATE PREPARED: March 11, 2013  
 PHONE: 402-471-0052

**LB 543**

Revision: 00

**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				
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS				

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

This bill would change a penalty from death to life imprisonment or life imprisonment without possibility of parole.

The Nebraska Department of Correctional Services (NDCS) states that this bill will have an indeterminate fiscal impact. See the NDCS response following for additional details.

As of February 28, 2013, the inmate population was 147.56% of design capacity.

<b>ADMINISTRATIVE SERVICES-STATE BUDGET DIVISION: REVIEW OF AGENCY &amp; POLT. SUB. RESPONSES</b>			
LB: <b>LB 543</b>	AM:	AGENCY/POLT. SUB: <b>Department of Correctional Services (046)</b>	
REVIEWED BY: Joe Wilcox	DATE: February 1 <sup>st</sup> , 2013	PHONE: <b>(402) 471-4178</b>	
COMMENTS: The cost to the Department of Correctional Services is unknown at this time, but appears to be minimal, based on the low number of inmates under a death penalty.			

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

**2013**

**LB<sup>(1)</sup> 543 FISCAL NOTE**

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

Prepared by: <sup>(3)</sup> Christina Peters Date Prepared: <sup>(4)</sup> 1/28/2013 Phone: <sup>(5)</sup> (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	_____	_____	_____	_____
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:

As there is no way to predict when the 11 inmates currently sentenced to death may be scheduled for execution nor when they might die of natural causes, this bill's fiscal impact on NDCS is indeterminable. Of the 11 inmates currently sentenced to death, two (2) were sentenced in the last five years. The future impact would be minimal based on these numbers.

The FY12 per diem (cost per day of feeding, clothing, housing, medical, etc.) for an individual inmate is \$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>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	_____	_____	_____	_____