

PREPARED BY: Doug Nichols  
DATE PREPARED: March 13, 2014  
PHONE: 402-471-0052

**LB 998**

Revision: 01

# FISCAL NOTE

**LEGISLATIVE FISCAL ANALYST ESTIMATE**

Updated to include additional agency responses.

<b>ESTIMATE OF FISCAL IMPACT – STATE AGENCIES</b> (See narrative for political subdivision estimates)				
	<b>FY 2014-15</b>		<b>FY 2015-16</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 provisions and penalties relating to prohibited acts regarding ignition interlock devices.

The Supreme Court, Department of Motor Vehicles, and the Department of Roads estimate no fiscal impact from this bill.

The Department of Correctional Services (DCS) states that this bill will have an indeterminate fiscal impact, and the impact on future admissions is not determinable.

As of February 28, 2014, the inmate population was 155.59% of design capacity.

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

**2014**

**LB<sup>(1)</sup> 998**

**FISCAL  
NOTE**

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

Prepared by: <sup>(3)</sup> Christina Peters Date Prepared: <sup>(4)</sup> 1/29/2014 Phone: <sup>(5)</sup> (402) 479-5702

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

	<u>FY 2014-15</u>		<u>FY 2015-16</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	<u>Indeterminable</u>	_____	_____	_____
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
TOTAL FUNDS	<u>Indeterminable</u>	=====	=====	=====

**Explanation of Estimate:**

This bill makes changes to the provisions and penalties related to prohibited acts regarding ignition interlock devices. The penalty for operating a motor vehicle not equipped with an ignition interlock device when under such a court order is reduced to a Class I misdemeanor. A new offense of driving a vehicle without the ignition interlock device while having an alcohol blood level of 0.02 or higher is created as a Class IV felony.

The NDCS data system currently tracks offenses by the crime category rather than by individual statute. Tampering with an ignition interlock device is included within the broader category of Driving under the Influence. As a result, information on the number of inmates and length of sentence for offenders convicted of tampering with an interlock device is unavailable.

The fiscal impact on NDCS is indeterminable, as the effect on future admissions is not determinable. .

The FY13 per diem (cost per day of food, clothing, housing, medical, etc.) for an individual inmate was \$6,422 per year.

**BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE**

**Personal Services:**

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2014-15 EXPENDITURES</u>	<u>2015-16 EXPENDITURES</u>
	<u>14-15</u>	<u>15-16</u>		
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	_____	_____	_____	_____

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

**2014**

**LB<sup>(1)</sup> 998**

**FISCAL NOTE**

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

Nebraska Dept of Roads

Prepared by: <sup>(3)</sup> Becky Fleming

Date Prepared: <sup>(4)</sup> 1/30/14

Phone: <sup>(5)</sup> (402) 479 4692

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

	<u>FY 2014-15</u>		<u>FY 2015-16</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	_____	_____	_____	_____
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
TOTAL FUNDS	=====	=====	=====	=====

**Explanation of Estimate:**

LB 998 changes provisions and penalties relating to prohibited acts regarding ignition interlock devices. This legislation changes the penalties for individuals who do not adhere to the ignition interlock device law. An individual who operates a motor vehicle not equipped with an ignition interlock device and is in violation of a court order, a Dept of Motor Vehicles order or a Board of Pardon's order, shall be guilty of a Class I misdemeanor instead of a Class IV felony. If said individual has a certain blood alcohol level while operating a motor vehicle not equipped with an ignition interlock device then the penalty shall be a Class IV felony.

No fiscal impact to the Department is anticipated.

**BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE**

**Personal Services:**

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2014-15</u>	<u>2015-16</u>
	<u>14-15</u>	<u>15-16</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	_____	_____	_____	_____