

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

<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	See Below			
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 adopt the Criminal Justice Reentry and Data Act and create the Reentry Programming Board. The bill outright repeals section 29-2208 Sentence to imprisonment in the county jail; hard labor; bread and water, and section 29-2405 Imprisonment for fine and costs; hard labor. It also outright repeals sections 47-619, 47-620, 47-621, 47-622, 47-624, 47-628, 47-629, and 47-634. These provisions relate to the Community Corrections Act. The bill has the emergency clause.

The bill eliminates the Community Corrections Uniform Data Analysis Cash Fund and creates the Offender Reentry Uniform Data Analysis Cash Fund. The new fund shall be used to support the Criminal Justice Reentry and Data Act. Any funds in the Community Corrections Uniform Data Analysis Cash Fund on the effective date of this act shall be transferred to the Offender Reentry Uniform Data Analysis Cash Fund.

The bill eliminates the Community Corrections Division in the Crime Commission.

The Department of Correctional Services (DCS) shall provide certain information to the Reentry Programming Board.

The bill creates the Criminal Justice Reentry and Data Act.

The Reentry Programming Board is created and board membership is specified in the bill. The board's duties are listed in the bill.

The bill states that reporting centers shall be funded by the state, and there shall be at least one reporting center in each district court judicial district. Existing reporting centers with unmet needs shall be expanded.

The bill creates the Reentry Programming Board Cash Fund. The fund shall be used by the board to carry out the Criminal Justice Reentry and Data Act. The bill states that it is the intent of the Legislature to appropriate fifteen million dollars to the Reentry Programming Board Cash Fund. Five million dollars shall be allocated for violence reduction and anger management programming, five million dollars for job training, and five million dollars for housing. Fifty percent of the funds shall be expended for programming under the Department of Correctional Services and fifty percent for community-based programs approved by the Reentry Programming Board. The Reentry Programming Board is responsible for overseeing the distribution of the funds.

The Nebraska State Patrol estimates no fiscal impact from this bill.

The Board of Parole estimates no fiscal impact from this bill.

The Crime Commission estimates the following net impact from eliminating the Community Corrections Division:

Fund Source:	FY2014-15		FY2015-16	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS	(264,701)		(263,951)	
CASH FUNDS	(312,306)	(408,137)	(310,451)	(408,137)
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS	(577,007)	(408,137)	(574,402)	(408,137)

The Crime Commission notes in its response that certain statutory duties are not eliminated in LB999. Therefore, eliminating the Community Corrections Division will not reduce the entire appropriation to this Division. The agency notes the FY13-14 appropriation to the Division is \$289,688 General Funds and \$408,137 cash funds.

The Crime Commission is retaining the following funds to meet their statutory duties:

	FY2014-15	FY2015-16
GENERAL FUNDS	24,987	25,737
CASH FUNDS	95,831	97,686

These funds are retained for a Research Analyst II, benefits, and related costs (cash funds), and a Secretary II (General Funds). See the response of the Crime Commission for additional details.

This bill creates the Reentry Programming Board, specifies board membership, and lists the board's duties.

Because this Board is a new agency, the Legislative Fiscal Office (LFO) will not have any input on funding from the Supreme Court or other agencies. At this time, the LFO proposes funding this new agency like the former Community Corrections Council. The appropriation was approximately \$300,000 General Funds for 3 positions and \$400,000 cash funds, which includes 1 position, plus funds for improving and maintaining the uniform crime data analysis system.

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

2014

LB<sup>(1)</sup> 999

FISCAL NOTE

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

Prepared by: <sup>(3)</sup> Esther Casmer/Trudy Clark Date Prepared: <sup>(4)</sup> 2-4-14 Phone: <sup>(5)</sup> 402-471-2156

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:

No fiscal impact.

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.....	_____	_____	_____	_____

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

2014

LB<sup>(1)</sup> 999

FISCAL NOTE

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

Prepared by: <sup>(3)</sup> Bruce Ayers Date Prepared: <sup>(4)</sup> 2-3-2014 Phone: <sup>(5)</sup> 471-0359

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>-264,701</u>	<u></u>	<u>-263,951</u>	<u></u>
CASH FUNDS	<u>-312,306</u>	<u>-408,137</u>	<u>-310,451</u>	<u>-408,137</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>-577,007</u></u>	<u><u>-408,137</u></u>	<u><u>-574,402</u></u>	<u><u>-408,137</u></u>

Explanation of Estimate: State Statute 47-627, as amended by LB 999 requires the Executive Director of the Crime Commission to improve and maintain the uniform crime data analysis system. The system shall include the number of offenses, arrests, charges, probation admissions, probation violations, probation discharges, participants in specialized community corrections programs, admissions to and discharges from problem-solving courts, admissions to and discharges from the Department of Correctional Services, parole reviews, parole hearings, releases on parole, parole violations, and parole discharges. The data shall be collected from the Board of Parole, the State Court Administrator, the Department of Correctional Services, the office of Parole Administration, the Office of Probation Administration, the Nebraska State Patrol, counties, local law enforcement, and any other entity associated with criminal justice. The Reentry Programming Board and the Supreme Court shall have access to such data.

The Crime Commission has a 1.0 FTE established position (Research Analyst II) who administers the uniform crime data analysis system and collects and maintains the required data. This responsibility for the Crime Commission does not change if LB 999 is passed.

Two recent efforts have proven significant and involve partnerships with the courts, Probation, and Correctional Services. We have established a datafeed from JUSTICE, the state's automated court management system, which allows for examination of filing and sentencing. This has been the basis for much of the data provided to the Judiciary Committee and we see this as a valuable dataset. We have also worked to establish an analysis of data from Probation, Corrections, and the courts to allow a description of the populations as they cross between agencies. While not yet completed, this is a significant effort that should be very fruitful.

The Crime Commission's work on these initiatives depends on the retention of the Research Analyst II position. This position was established as part of the original Community Corrections Act requirements and is funded via the Uniform Data Fund. LB 999 terminates the Uniform Data Fund and creates a similar cash fund called the Offender Reentry Uniform Data Analysis Cash Fund.

The current appropriation (FY 13-14) for the Uniform Data Fund is \$408,137. From this fund, we are paying the salary and benefits of the Research Analyst II plus operations costs and necessary annual upgrades to NCJIS (Nebraska Criminal Justice Information System). The annual upgrades to CJIS are estimated at \$25,000. We are currently involved in the effort to link offenders across probation and corrections and the courts. The Crime Commission will be the repository for the data and provide access to staff from authorized agencies. This data is shared through the existing secure infrastructure of data residing in NCJIS (Nebraska Criminal Justice Information System).

Our fiscal note anticipates the retention of the Research Analyst II position and associated costs within the Crime Commission. Without this position, the Crime Commission can't meet the statutory requirements of LB 999.

Dissolving the Community Corrections Division, as proposed in LB 999, leaves a gap in support staff for the Research Analyst II position. The current Secretary II position, funded with general funds provides clerical support, data entry for jail and arrest data, and related tasks for the Research Analyst II position and the Information Services Division of the Crime Commission.

We propose keeping funding (general funds) for a .55 Secretary II position necessary to provide support for the Research

Analyst II and the Information Services Division. The cost for this (salary plus benefits) is 24,987 in FY 14-15 and 25,737 in FY 15-16. We would then combine this .55 FTE with an existing .45 FTE position to create a 1.0 FTE position to provide support staff for the Research Analyst II position and the Information Services Division.

The FY 13-14 appropriation for Program 220 (Community Corrections Division) of the Crime Commission budget is \$289,688 general funds (3.0 FTE) and \$408,137 cash funds (1.0 FTE). This fiscal note assumes the elimination of those appropriations except for the funds necessary to maintain the salary, benefits and operating costs of the Research Analyst II position (cash funds) and the .55 FTE Secretary II position (general funds). In all cases where salary and benefits are involved, I estimated the costs using family health insurance.

**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>
Research Analyst II	1.00	1.00	38,658	39,818
Secretary II	.55	.55	13,428	13,831
Benefits.....			34,732	35,774
Operating.....			32,000	32,000
Travel.....			2,000	2,000
Capital outlay.....				
Aid.....				
Capital improvements.....				
<b>TOTAL.....</b>			<b>120,818</b>	<b>123,423</b>

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**2014**

**LB<sup>(1)</sup> 999**

**FISCAL NOTE**

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

Nebraska State Patrol

Prepared by: <sup>(3)</sup> Carol Aversman

Date Prepared: <sup>(4)</sup> 01-28-2014

Phone: <sup>(5)</sup> 402-479-4945

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	<u>No Fiscal Impact</u>	<u>No Fiscal Impact</u>	<u>No Fiscal Impact</u>	<u>No Fiscal Impact</u>

Explanation of Estimate:

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.....	_____	_____	<u>No Fiscal Impact</u>	<u>No Fiscal Impact</u>