

FISCAL NOTE
LEGISLATIVE FISCAL ANALYST ESTIMATE

Updated to include additional response.

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)				
	FY 2014-15		FY 2015-16	
	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.

The following table summarizes the impact to the Supreme Court:

ITEMS	FY2014-15	FY2015-16	FY2014-15	FY2015-16
	Number of Positions		Expenditures	
Reporting Center Staff	18.75	88.00	668,153	2,655,875
Administrative Staff	7.50	10.00	387,570	529,679
Benefits			737,153	2,159,273
Operating			4,501,250	8,626,500
Capital Outlay			250,000	806,500
TOTAL	26.25	98.00	6,544,126	14,777,827
By Fund Source:				
General Fund			6,231,626	13,371,577
Cash Fund			312,500	1,406,250
TOTAL			6,544,126	14,777,827

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.

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2014

LB⁽¹⁾ 999

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾ 05 Supreme Court

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Date Prepared: ⁽⁴⁾ 2/5/14

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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>6,231,626</u>	<u> </u>	<u>13,371,577</u>	<u> </u>
CASH FUNDS	<u>312,500</u>	<u> </u>	<u>1,406,250</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>6,544,126</u>	<u> </u>	<u>14,777,827</u>	<u> </u>

Explanation of Estimate:

The specific provisions of LB 999 that generate a fiscal impact for the Supreme Court are:

1. Creation of five new reporting centers to be established in FY14-15.
2. Expansion of all reporting centers in FY15-16, based on approval of the plan as required in Sec. 20.
Note: the requirement that reporting centers will be funded by the State will reduce expenditures for certain counties that currently fund a portion of reporting center expenses.
3. The provision for mental health services for all probationers and supervised individuals.
Note: Cash Fund revenue may decrease from the Offender Reentry Uniform Data Analysis Cash Fund (formerly Community Corrections Uniform Data Analysis Cash Fund) since the number of entities eligible for receiving funds increases under LB 999. In recent years, the Supreme Court has received between \$140,000 and \$200,000 from this fund.

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>
Reporting Center Staff	<u>18.75</u>	<u>88.00</u>	<u>668,153</u>	<u>2,655,875</u>
Administrative Staff	<u>7.50</u>	<u>10.00</u>	<u>387,570</u>	<u>529,679</u>
Benefits.....			<u>737,153</u>	<u>2,159,273</u>
Operating.....			<u>4,501,250</u>	<u>8,626,500</u>
Travel.....				
Capital outlay.....			<u>250,000</u>	<u>806,500</u>
Aid.....				
Capital improvements.....				
TOTAL.....	<u>26.25</u>	<u>98.00</u>	<u>6,544,126</u>	<u>14,777,827</u>