

FISCAL NOTE
LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)				
	FY 2018-19		FY 2019-20	
	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 require that certain prosecution costs be paid by the state. The bill states that if a county's costs of prosecution relating to a single correctional institution incident exceeds the threshold amount for such county, such costs of prosecution in excess of the threshold amount shall be paid by the state. Threshold amount is defined as a property tax levy of 2.5 cents.

This bill has the potential for a fiscal impact to the state, but that amount, if any, is not able to be determined at this time.

The Department of Correctional Services estimates no fiscal impact from this bill. See the agency response attached for additional details not included in this fiscal note.

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
LB: 861	AM:	AGENCY/POLT. SUB: Nebraska Department of Correctional Services (046)
REVIEWED BY: Joe Wilcox	DATE: 01/16/2018	PHONE: (402) 471-4178
COMMENTS: No basis to dispute the Nebraska Department of Correctional Services estimate of potential but Indeterminate Fiscal Impact to the State of Nebraska and No Fiscal Impact to the Agency from LB 861.		

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2018

LB⁽¹⁾ 861

FISCAL NOTE

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

Prepared by: ⁽³⁾ Jeff Beaty Date Prepared: ⁽⁴⁾ 1/16/18 Phone: ⁽⁵⁾ 4024795767

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2018-19</u>		<u>FY 2019-20</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	_____	_____	_____	_____
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
TOTAL FUNDS	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

Explanation of Estimate:

LB 861 requires the state to pay the costs of prosecution (including indigent defense costs) for a crime committed by an inmate confined in a state correctional institution if the costs of prosecuting the case exceed the amount of revenue generated by 2.5 cents of property tax levy for that county for the year in which the incident occurred. If the 2.5 cent threshold is exceeded, the state pays the costs in excess of the threshold amount.

The bill does not specify how the county is to certify the costs of prosecution, if the costs of assistance provided by the attorney general's office are included in the costs of prosecution, or how a county is to seek reimbursement for the costs of prosecution. While there is a potential fiscal impact on the state of Nebraska from LB 861, depending on the costs of prosecution, there is no fiscal impact on the Department of Correctional Services.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2018-19</u>	<u>2019-20</u>
	<u>18-19</u>	<u>19-20</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	_____	_____	<u>0</u>	<u>0</u>