PREPARED BY: DATE PREPARED: PHONE: Doug Nichols March 12, 2019 402-471-0052

**LB 131** 

Revision: 00

## **FISCAL NOTE**

**LEGISLATIVE FISCAL ANALYST ESTIMATE** 

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)								
	FY 2019-20 FY 2020-21							
	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 certain provisions relating to minimum sentences. It states that the minimum term shall not be less than the minimum or mandatory minimum and shall not be greater than one-third of the maximum limit. The bill also changes the minimum limit for a Class IB felony.

This bill could reduce the number of persons in prison because it has the potential to allow certain inmates to be released earlier than under current law. This could reduce prison overcrowding and save per diem costs for the Department of Correctional Services (DCS).

As of October - December 2018, the prison population was 159% of design capacity. Additionally, DCS contracts with some counties to temporarily house prison inmates. If those inmates are included in the prison population numbers, then the prison population would be 162% of design capacity.

The FY18 per diem cost for an individual inmate was \$8,226 per year, which includes DCS inmates in county jails.

The Supreme Court estimates a minimal fiscal impact from the provisions of this bill.

The Attorney General estimates no fiscal impact from this bill.

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

The Department of Correctional Services states that the fiscal impact of this bill is indeterminable.

The Commission on Public Advocacy estimates no fiscal impact from this bill.

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE								
LB: 131 AM: AGENCY/POLT. SUB: Nebraska Supreme Court (005)								
REVIEWED BY: Joe Wilcox DATE: 03/12/2019 PHONE: (402) 471-4178								
COMMENTS: No basis to dispute the Nebraska Supreme Court estimate of "Minimal" Fiscal Impact to the Agency from LB131.								

ADMII	NISTRATIVE SERVICE	S STATE BUDGET DIVISION: REVIEW OF A	AGENCY & POLT. SUB. RESPONSE			
LB: 131	AM:	AGENCY/POLT. SUB: Nebraska Att	orney General (011)			
REVIEWED	BY: Joe Wilcox	DATE: 01/16/2019	PHONE: (402) 471-4178			
COMMENTS: No basis to dispute the Nebraska Attorney General estimate of No Fiscal Impact to the Agency from LB 131.						

ADMIN	NISTRATIVE SERVIC	ES STATE BUDGET DIVISION: REVIEW OF	AGENCY & POLT. SUB. RESPONSE			
LB: 131	AM:	AGENCY/POLT. SUB: Nebraska De	partment of Correctional Services (046)			
REVIEWED	BY: Joe Wilcox	DATE: 01/23/2019	PHONE: (402) 471-4178			
COMMENTS: No basis to dispute the Nebraska Department of Correctional Services (NDCS) estimate of Indeterminable Fiscal Impact to the Agency from LB 131.						

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE  LB: 131 AM: AGENCY/POLT. SUB: Nebraska Commission on Public Advocacy (094)					
	BY: Joe Wilcox	DATE: 01/14/2019	PHONE: (402) 471-4178		

LB <sup>(1)</sup> 131			FISCAL NOTE			
State Agency OR Political Subdivision Name: (2)	05 Supreme Court					
Prepared by: (3) Eric Asboe	Date Prepared: (4)	3/12/19 Phone:	(5) 1-4138			
ESTIMATE PROV	IDED BY STATE AGEN	ICY OR POLITICAL SUBDIV	ISION			
<u>EXPENDITURE</u>	<u> 2019-20</u> <u>S <u>REVENUE</u></u>	<u>FY 20</u> <u>EXPENDITURES</u>	<u>20-21</u> <u>REVENUE</u>			
GENERAL FUNDS						
CASH FUNDS						
FEDERAL FUNDS						
OTHER FUNDS		<u> </u>				
		<del></del>				
TOTAL FUNDS	=					
Explanation of Estimate:						
BREAKDOY Personal Services:	<u>WN BY MAJOR OBJECT</u>	S OF EXPENDITURE				
	NUMBER OF POSITIONS 19-20 20-21	S 2019-20 EXPENDITURES	2020-21 EXPENDITURES			
Benefits						
Operating						
Travel						
Capital outlay						
Aid						
Capital improvements						
TOTAL						

LB <sup>(1)</sup> 131					FISCAL NOTE
State Agency OR I	Political Subdivision Name:	. (2)			
Prepared by: (3)	Corey O'Brien	Date Prepared: (4)	1-16-19	Phone: (5)	402-471-2687
	ESTIMATE PR	OVIDED BY STATE AGE	NCY OR POLITICAL	SUBDIVIS	SION
	EXPENDITUE	FY 2019-20 RES REVENUE	EXPENDITU	FY 2020 RES	2-21 REVENUE
GENERAL FUN	DS				
CASH FUNDS					
FEDERAL FUNI	DS				
OTHER FUNDS					
TOTAL FUNDS	***************************************				
			_		
Explanation of E	estimate:				
No Fiscal Impa	ict.				
	DDEAKD	OWN BY MAJOR OBJEC	TC OF EVDENDITUD	E	
Personal Service				<u>E</u>	
DOSIT	TION TITLE	NUMBER OF POSITION		DEC	2020-21
FOSIT	ION TITLE	<u>19-20</u> <u>20-21</u>	EXPENDITU	<u>XES</u>	EXPENDITURES
		***************************************			
Benefits					
			**************************************		The state of the s
				£	
Capital outlay					
Aid					
Capital improver	ments				
TOTAL					



LB <sup>(1)</sup> 131						<b>FISCAL NOTE</b>
State Agency OR	Political Subdivision Name: <sup>(2)</sup>	Board o	of Parole			
Prepared by: (3)	Rosalyn Cotton	Date l	Prepared: (4)	January 17, 2019	Phone: (5)	402 479-5731
	ESTIMATE PROV	IDED BY S	TATE AGEN	NCY OR POLITICAL	L SUBDIVIS	SION
	EXPENDITURES	2019-20 S	REVENUE	EXPENDITU	<u>FY 2020</u> JRES	<u>REVENUE</u>
GENERAL FUN						
CASH FUNDS				-		
FEDERAL FUN				-		
OTHER FUNDS				<del>-</del>		
TOTAL FUNDS		=		-		
<b>Explanation of I</b>	Estimate:					
Personal Service		<u>WN BY MA.</u>	JOR OBJECT	S OF EXPENDITU	<u>RE</u>	
		UMBER OI 19-20	F POSITION: <u>20-21</u>	S 2019-20 EXPENDITU		2020-21 EXPENDITURES
Benefits						
Operating						
-						
	ments					
TOTAL						

LB <sup>(1)</sup> 131						FISCAL NOTE
State Agency OR Political Subd	livision Name: (2)	Nebraska Department of Correctional Services				
Prepared by: (3) Sara Sump		Date P	repared: <sup>(4)</sup> 1	/18/19	Phone: (5)	402.479.5702
EST	IMATE PROVII	DED BY ST	TATE AGENC	Y OR POLITICAL	SUBDIVIS	ION
	2019-20			FY 2020-		
<u>EX</u>	KPENDITURES		<u>EVENUE</u>	EXPENDITU		REVENUE
GENERAL FUNDS						
CASH FUNDS						
FEDERAL FUNDS						
OTHER FUNDS						
TOTAL FUNDS	0		0	0		0
Explanation of Estimate: Fiscal Impact is indetermine	nable.					
Personal Services:	BREAKDOW	N BY MAJ	OR OBJECTS	OF EXPENDITUR	<u>RE</u>	<del></del>
			POSITIONS	2019-20	D.D.C.	2020-21
POSITION TITLE		<u>19-20</u>	<u>20-21</u>	<u>EXPENDITU</u>	<u>RES</u>	<u>EXPENDITURES</u>
				-	<u></u>	
Benefits	<del></del>				<u> </u>	
Operating						
Travel						
Capital outlay						
Aid						
Capital improvements						
TOTAL						

$LB^{(1)}$	LB <sup>(1)</sup> 131 NO FISCAL IMPACT						FISCAL NOTE	
State Ag	gency OR F	Political Subdivision Name: (2	Nebras	ska Commis	sion on Public	Advocacy		
Prepare	ed by: <sup>(3)</sup>	Jeff Pickens	Date	Prepared: (4)	1-11-19	Phone: (5)	4024717775	
		ESTIMATE PRO	VIDED BY	STATE AGEN	CY OR POLITICA	AL SUBDIVIS	SION	
		F	Y 2019-20			FY 2020	<b>-</b> 91	
		EXPENDITURE		<u>REVENUE</u>	EXPENDIT		REVENUE	
GENE	RAL FUN	DS						
CASH I	FUNDS							
FEDER	RAL FUNI	os —	_					
OTHEI	R FUNDS	-						
TOTAL	L FUNDS							
	ation of E							
Person	al Services		WN BY MA	JOR OBJECTS	S OF EXPENDIT	<u>URE</u>		
CISON			NUMBER C 19-20	OF POSITIONS  20-21	2019-9 EXPENDIT		2020-21 EXPENDITURES	
Benefit	s							
Operati	ing							
Travel.								
Capital	outlay							
Aid								
-	-	nents						
TO	TAL							