

PREPARED BY: Doug Nichols
 DATE PREPARED: September 17, 2021
 PHONE: 402-471-0052

LB 15 Special Session

Revision: 01

FISCAL NOTE

LEGISLATIVE FISCAL ANALYST ESTIMATE

Updated to include the Department of Correctional Services response.

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)				
	FY 2021-22		FY 2022-23	
	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 provide for counting Nebraska residents in Nebraska prisons for redistricting purposes, and it has the emergency clause. It states that for purposes of drawing boundaries for legislative districts and congressional districts, an individual who was a resident of Nebraska prior to being confined to a prison in Nebraska shall be counted as a resident of the county, city, or village in which the individual was a resident prior to being confined.

The Department of Correctional Services (DCS) estimates a total one-time cost of \$80,843. DCS estimates that to comply with the provisions of this bill they will need a Program Analyst at a cost of \$60,843 to collect the information, and \$20,000 to make changes to the inmate database system.

As noted on the previous fiscal note, it is the understanding of LFO that the Census Bureau will include a separate data set in official figures that states will use for redistricting purposes that includes counts of prisoners in their physical location and counts allocating them to their home districts after the state provides a list of inmates and addresses.

If this information is not available from any source including the intake process, then there could be a cost to DCS to collect this information.

However, it does not appear that this bill would be effective for the 2020 redistricting process due to timing. By the time that this information would be available to be used in the 2020 redistricting process, the other redistricting bills would have already been enacted and the Special Session adjourned Sine Die.

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
LB: 15	AM:	AGENCY/POLT. SUB: Nebraska Department of Correctional Services (46)
REVIEWED BY: Joe Wilcox	DATE: 09/16/2021	PHONE: (402) 471-4178
COMMENTS: No basis to dispute the Nebraska Department of Correctional Services (NDCS) estimate of potential Fiscal Impact to the Agency from LB 15 in the 2021 First Special Legislative Session.		

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

2021

LB⁽¹⁾ 15

FISCAL NOTE

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

Prepared by: ⁽³⁾ Lisa Stanton Date Prepared: ⁽⁴⁾ 09/16/2021 Phone: ⁽⁵⁾ (402)479-5702

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2021-22</u>		<u>FY 2022-23</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	\$80,843			
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS	<u>\$80,843</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

Explanation of Estimate:

LB15 provides for counting Nebraska residents confined to prison in Nebraska as a resident of the county, city or village in which they were a resident prior to being confined.

NDCS does not currently collect inmate residence as part of the intake process.

To comply with the proposed legislation, NDCS would have to retroactively query inmates about their residential address, prior to incarceration, and then create a process for doing that going forward. It is estimated that would take 2,735.5 hours to complete. NDCS would need to fund an estimated 1.32 FTE at a cost of \$60,843 to go back and obtain addresses from inmates already incarcerated in NDCS and enter them into the inmate database system. In addition, NDCS estimates the cost of creating fields within the inmate database system (development, testing and implementation) to allow for entry of this information to be \$20,000.

As an additional note to this process, any information provided by the inmate as to prior permanent residence would not be verified by NDCS. Therefore, any information included in such a database could not be guaranteed for its accuracy.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2021-22</u>	<u>2022-23</u>
	<u>21-22</u>	<u>22-23</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
Program Analyst			\$60,843	
Benefits.....				
Operating.....			\$20,000	
Travel.....				
Capital outlay.....				
Aid.....				
Capital improvements.....				
TOTAL.....			<u>\$80,843</u>	<u>\$0</u>