

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

Updated on February 12, 2021.

<b>ESTIMATE OF FISCAL IMPACT – STATE AGENCIES</b> (See narrative for political subdivision estimates)				
	<b>FY 2021-22</b>		<b>FY 2022-23</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 provide for earned time credit reductions to the minimum terms of sentences of offenders at facilities of the Department of Correctional Services (DCS).

DCS states that this bill could decrease the number of persons in prison, but the specific impact is indeterminable.

DCS notes that up to a net of 45 inmates in FY22 and 52 inmates in FY23 could be paroled under the provisions of this bill versus current law: 52 paroled in FY22 less 7 returned to prison, and 59 paroled in FY23 less 7 returned to prison.

This could result in per diem saving of \$458,100 in FY22 and \$528,546 in FY23 (FY20 per diem cost of \$10,180 per inmate per year times the number of inmates paroled in both FY22 and FY23). DCS also notes that there could be no impact on parole and they would realize no per diem savings.

If the impact of this bill is to decrease the prison population by more than current law, then this could have an impact on prison overcrowding. The average daily prison population was 145% of design capacity as of December 2020.

DCS estimates a one-time programming cost for changes to the electronic inmate file of \$196,000. There is no basis to disagree with this estimate. However, since it is likely DCS will see some per diem savings from the provisions of this bill, they should be able to cover this cost with any such per diem savings.

The Supreme Court estimates a minimal fiscal impact.

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

<b>ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY &amp; POLT. SUB. RESPONSE</b>		
<b>LB: 624</b>	<b>AM:</b>	<b>AGENCY/POLT. SUB: Nebraska Department of Correctional Services (46)</b>
REVIEWED BY: Joe Wilcox	DATE: 01/29/2021	PHONE: (402) 471-4178
COMMENTS: No basis to dispute the Nebraska Department of Correctional Services (NDCS) estimate of potential, but Indeterminate Fiscal Impact to the Agency from LB 624 in the long run. In the short term, The Agency identified a one-time General Fund Cost for programming changes to the electronic inmate file of \$196,000.		

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
<b>LB: 624</b>	<b>AM:</b>	AGENCY/POLT. SUB: <b>Nebraska Supreme Court (05)</b>
REVIEWED BY: Joe Wilcox	DATE: 02/08/2021	PHONE: (402) 471-4178
COMMENTS: No basis to dispute the Nebraska Supreme Court estimate of "Minimal" fiscal impact to the Agency from LB 624. The Supreme Court indicates no additional resources necessary.		

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
<b>LB: 624</b>	<b>AM:</b>	AGENCY/POLT. SUB: <b>Nebraska Board of Parole (15)</b>
REVIEWED BY: Joe Wilcox	DATE: 01/27/2021	PHONE: (402) 471-4178
COMMENTS: No basis to dispute the Nebraska Board of Parole estimate of No significant Fiscal Impact to the Agency from LB 624. The Agency could absorb any additional impact within existing resources.		

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

**2021**

**LB<sup>(1)</sup> 624**

**FISCAL NOTE**

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

Prepared by: (3) Lisa Stanton Date Prepared: (4) 01/25/2021 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	\$196,000			
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
<b>TOTAL FUNDS</b>	<u>\$196,000</u>			

**Explanation of Estimate:**

LB 624 provides for earned time credit reductions to the minimum terms of sentences of prisoners at the Department of Correctional Services. This bill could reduce the number of persons in prison. The specific amount of impact is indeterminable.

Using 2019 admissions and the pro-social and rehabilitative activities identified in LB624 for earning credit, NDCS estimates that 95 inmates could become parole eligible in 2022 and 109 in 2023 as a result of those earned time credit reductions. Based on an average rate of 54% of parole-eligible individuals receiving parole at their hearing, an estimated 52 inmates could parole in FY22 and 59 in FY23. Using the current revocation rate of 12%, 14 of those parolees will return to prison. Under the worst case scenario the population discharges at their tentative release date (TRD) and there is no impact from LB624 on the average daily prison population (ADP).

As of December 2020, the average daily prison population (ADP) was 145% of Design capacity. The FY20 per diem cost is \$27.89 for each inmate, or \$10,180 per year.

NDCS estimates programming changes to the electronic inmate file to cost \$196,000.

**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>
Benefits.....				
Operating.....			\$196,000	
Travel.....				
Capital outlay.....				
Aid.....				
Capital improvements.....				
<b>TOTAL.....</b>			<u>\$196,000</u>	

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2021

LB<sup>(1)</sup> 624

FISCAL NOTE

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

Prepared by: <sup>(3)</sup> Eric Asboe Date Prepared: <sup>(4)</sup> 2/6/2021 Phone: <sup>(5)</sup> 402-326-9215

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	_____	_____	_____	_____
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
TOTAL FUNDS	=====	=====	=====	=====

Explanation of Estimate:

Minimal fiscal impact to provide education for judges. No additional resources required.

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>
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	_____	_____	_____	_____

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

2021

LB<sup>(1)</sup> 624

FISCAL NOTE

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

Prepared by: <sup>(3)</sup> Rosalyn Cotton Date Prepared: <sup>(4)</sup> January 26, 2021 Phone: <sup>(5)</sup> 402 479-5731

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	_____	_____	_____	_____
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
TOTAL FUNDS	=====	=====	=====	=====

Explanation of Estimate:

No significant impact related to LB 624.

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>
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	_____	_____	_____	_____