

Update Fiscal Response

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

<b>ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)</b>				
	<b>FY 2024-25</b>		<b>FY 2025-26</b>	
	<b>EXPENDITURES</b>	<b>REVENUE</b>	<b>EXPENDITURES</b>	<b>REVENUE</b>
GENERAL FUNDS			\$ 4,698,575	
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
<b>TOTAL FUNDS</b>			<b>\$ 4,698,575</b>	

**Any Fiscal Notes received from state agencies and political subdivisions are attached following the Legislative Fiscal Analyst Estimate.**

AM3321 strikes the original bill's content but retains certain provisions from LB 253 AM2978 in the updated amendment.

Section 1 defines various terms, including "case plan," which is described as a structured outline of goals, programs, and conditions. This plan is crafted based on a risk and needs assessment conducted by professionals, tailored to the specific risks and needs of a veteran, and developed collaboratively with the veteran's input and participation. Additionally, this section introduces the Veteran Justice Program, which is detailed in Sections 2 through 4 of the act. This program allows veterans to request the deferment of judgment and conviction for offenses they have committed, pending the completion of a specified program. Successful completion of this program enables them to avoid having a conviction recorded on their record.

Section 2 of the act outlines the eligibility criteria for veterans to participate in the Veteran Justice Program and the handling of sensitive information. It describes a comprehensive approach to integrating veterans with service-related conditions into a specialized justice program. This section emphasizes maintaining strict confidentiality and respecting the rights of all involved parties.

Section 3 of the act outlines the operational guidelines and procedural details for the Veteran Justice Program. It establishes a structured framework for integrating eligible veterans into a judicial process that is tailored to their specific circumstances. This section aims to provide a pathway to rehabilitation without the full weight of a conviction, while adhering to certain legal and procedural conditions.

Section 4 of the act elaborates on the elements and operational protocols of the Veteran Justice Program. It aims to provide a supportive and tailored approach to assist veterans through the justice system.

Section 5 of the act provides specific directives for the treatment of veterans during judicial proceedings. It emphasizes the need to consider veteran status in both arraignment and sentencing processes.

Section 6 of the act mandates specific actions and training for personnel involved in the criminal justice system concerning veterans. This section aims to ensure that those handling veteran cases are well-prepared to address their unique needs.

Section 7 of the act outlines the responsibilities of the State Court Administrator in data collection, tracking, and reporting on veterans involved in the Veteran Justice Program and those receiving sentencing mitigation.

The Supreme court states that as amended by AM3321, LB 253 there is an estimated general fund fiscal impact \$4,548,575 for FY2025-26. This funding will be allocated to several key areas: each judicial district will have a specialist position dedicated to coordinating case management and services for veterans; additional Veteran Treatment Court probation officers will be appointed in districts that already have veteran problem-solving courts and substantial veteran populations; and there will be increased funding for administrative staff and IT resources to enhance case management, verify veteran status, notify victims, and improve data reporting.

Note: Although the bill is not intended to establish a problem-solving court, it mandates numerous similar functions. The Supreme Court already has Veteran Problem Courts, and their resources will be utilized for the Veterans Justice Program across all district and county courts. Given the similarities in functions, there is no basis to challenge the provided fiscal estimates.

Section 6 mandates that law enforcement, court, and correctional personnel confirm the veteran status of individuals processed through the criminal justice system. This verification is designed to identify individuals who may be eligible for participation in a veteran justice program or for sentencing mitigation. This requirement would affect both the Nebraska State Patrol and the Nebraska Department of Correctional Services (NDCS).

The State Patrol could face increased training costs for officers employed by the agency. Training all employees could result in an estimated fiscal impact of \$150,000. Additionally, the section does not clarify when or how State Patrol officers would verify status, which could lead to a significant fiscal impact depending on the timing and method required for this verification.

NDC has reported that there is no fiscal impact from LB253 AM3321. If any costs arise from training personnel, the agency can absorb these costs.

Counties could experience a fiscal impact ranging from approximately \$250,000 to \$500,000.

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE			
LB: 253	AM: 3321	AGENCY/POLT. SUB: Supreme Court	
REVIEWED BY:	Jacob Leaver	DATE: 4/10/2024	PHONE: (402) 471-4173
COMMENTS: Concur with the Supreme Court's estimated fiscal impact as a result of LB 253 AM 3321.			

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE			
LB: 253	AM: 3321	AGENCY/POLT. SUB: Department of Correctional Services	
REVIEWED BY:	Jacob Leaver	DATE: 4/11/2024	PHONE: (402) 471-4173
COMMENTS: Concur with the Department of Corrections Services' estimate of no fiscal impact as a result of LB 253 AM 3321.			

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

**2024**

**LB<sup>(1)</sup> 253 AM3321**

**FISCAL NOTE**

State Agency OR Political Subdivision Name: <sup>(2)</sup> Nebraska Department of Correctional Services

Prepared by: <sup>(3)</sup> Lisa Stanton Date Prepared: <sup>(4)</sup> 04/10/2024 Phone: <sup>(5)</sup> (402)479-5702

**ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION**

	<u>FY 2024-25</u>		<u>FY 2025-26</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:

NDCS estimates no fiscal impact as a result of LB253 as amended by AM3321.

**BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE**

**Personal Services:**

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2024-25</u> <u>EXPENDITURES</u>	<u>2025-26</u> <u>EXPENDITURES</u>
	<u>24-25</u>	<u>25-26</u>		
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	_____	_____	_____	_____

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

**2024**

**LB<sup>(1)</sup> 253 AM3321**

**FISCAL NOTE**

State Agency OR Political Subdivision Name: <sup>(2)</sup> Lincoln Police Department

Prepared by: <sup>(3)</sup> Capt. Todd Kocian #940 Date Prepared: <sup>(4)</sup> 4-11-24 Phone: <sup>(5)</sup> 402-441-1871

**ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION**

	<u>FY 2024-25</u>		<u>FY 2025-26</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	_____	_____	_____	_____
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
<b>TOTAL FUNDS</b>	<b>=====</b>	<b>=====</b>	<b>=====</b>	<b>=====</b>

**Explanation of Estimate:**

Law enforcement has no way to verify a person’s veteran status (AM3321, Sect. 6(1)). This would be better suited as a consideration for the court or prosecutors after the person shows proof of status.

Page 8 of AM3321 also notes law enforcement shall receive training designed to increase their understanding of cases involving veterans, including veterans’ exposure to violence and trauma. The amendment does not specify how many hours of training would be required, who is responsible for conducting such training or who is financially responsible for the training.

Due to the lack of specificity contained within this amendment; I have no way to accurately predict what our fiscal impact could be.

**BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE**

**Personal Services:**

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2024-25</u>	<u>2025-26</u>
	<u>24-25</u>	<u>25-26</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
<b>TOTAL.....</b>	<b>_____</b>	<b>_____</b>	<b>_____</b>	<b>_____</b>

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

**2024**

**LB<sup>(1)</sup> 253, AM3321**

**FISCAL NOTE**

State Agency OR Political Subdivision Name: <sup>(2)</sup> 05 Supreme Court

Prepared by: <sup>(3)</sup> Eric Asboe Date Prepared: <sup>(4)</sup> 4/10/2024 Phone: <sup>(5)</sup> 402-326-9215

**ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION**

	<u>FY 2024-25</u>		<u>FY 2025-26</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	_____	_____	4,548,575	_____
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
<b>TOTAL FUNDS</b>	<b>=====</b>	<b>=====</b>	<b>4,548,575</b>	<b>=====</b>

**Explanation of Estimate:**

LB253, as amended by AM3321, FY26 General Fund estimated fiscal impact: \$4,548,575.

Impact includes:

1. A specialist position in each judicial district to coordinate case management and services for veterans.
2. Additional Veteran Treatment Court probation officers in those judicial districts that have existing veteran problem-solving courts and higher veteran populations.
3. Administrative staff and IT funding to support additional case management, veteran verification, victim notification and data reporting.

**BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE**

**Personal Services:**

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2024-25</u>	<u>2025-26</u>
	<u>24-25</u>	<u>25-26</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
<b>TOTAL.....</b>	<b>=====</b>	<b>=====</b>	<b>=====</b>	<b>=====</b>