

msd

PREPARED BY: Sandy Sostad
DATE PREPARED: February 01, 2012
PHONE: 471-0054

LB 1155

Revision: 00

FISCAL NOTE

LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES *				
	FY 2012-13		FY 2013-14	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS				
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS				

*Does not include any impact on political subdivisions. See narrative for political subdivision estimates.

LB 1155 changes the penalty for operating a motor vehicle during a period when a person is subject to a court order not to operate a motor vehicle. Current law provides that upon conviction of a second or subsequent offense of operating a motor vehicle when not allowed to do so, a person is guilty of a Class II misdemeanor. The bill amends the penalty to provide that persons violating the provisions for a fourth or subsequent time are guilty of a Class I misdemeanor.

The increased penalty from a Class II to a Class I misdemeanor for persons convicted of operating a motor vehicle when not allowed to do so, for the fourth or subsequent time, may result in an increase in the amount of time a person convicted of the offense is placed in jail from six months to a year, depending upon if the judge assesses the maximum penalty. This may have an impact on the number of persons incarcerated. However, the fiscal impact is indeterminate because the number of persons impacted by the bill is unknown.

Current law provides the same maximum monetary penalty of \$1,000 for both Class I and II misdemeanors, so fine revenue to school districts is not projected to change pursuant to the bill unless judges assess the fine more often for Class I misdemeanor convictions than for Class II misdemeanor convictions.