

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

<b>ESTIMATE OF FISCAL IMPACT – STATE AGENCIES</b> (See narrative for political subdivision estimates)				
	<b>FY 2015-16</b>		<b>FY 2016-17</b>	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS	67,678		128,212	
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
<b>TOTAL FUNDS</b>	<b>67,678</b>		<b>128,212</b>	

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

This bill would change provisions relating to stalking and domestic abuse.

For every inmate, the Department of Correctional Services (DCS) incurs per diem costs. The FY14 per diem cost for an individual inmate was \$7,124 per year. This is the cost for food, medical care, inmate wages, clothing, cleaning supplies, food service supplies, cell and dorm supplies, other supplies, and transportation.

The Department of Correctional Services (DCS) estimates that this bill may increase the state prison inmate population by 5 to 14 in FY16 and by 9 to 26 in FY17. This could result in additional per diem costs of \$67,678 in FY16 and \$128,212 in FY17.

As of January 31, 2015, the inmate prison population was almost 160% of design capacity. On January 31, 2014, the inmate prison population was almost 155% of design capacity.

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

**2015**

**LB<sup>(1)</sup> 307**

**FISCAL NOTE**

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

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

	FY 2015-16		FY 2016-17	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	<u>67,678</u>	<u>0</u>	<u>128,212</u>	<u>0</u>
CASH FUNDS	<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>                    </u>
FEDERAL FUNDS	<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>                    </u>
OTHER FUNDS	<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>                    </u>
TOTAL FUNDS	<u>67,678</u>	<u>0</u>	<u>128,212</u>	<u>0</u>

**Explanation of Estimate:**

LB 307 proposes to broaden the definition of stalking and second degree domestic assault, increase penalties for domestic assault offenses and create penalty enhancements for repeat violations.

The changes to the definition of stalking do not broaden or narrow the language enough to predict that it will have a measurable impact on the prison population beyond the natural expected rate of growth. Similarly, the expanded definition of second degree domestic assault should not increase admissions.

The increased penalties for first, second and third degree domestic assault are expected to increase the Department's average daily population (ADP) between 5 and 14 inmates during FY2016 (\$35,620-\$99,736) and an 9 and 26 inmates during FY2017 (\$71,240-\$185,184). The average expected increases in per diem costs are reflected in this fiscal note.

**BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE**

**Personal Services:**

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2015-16 EXPENDITURES</u>	<u>2016-17 EXPENDITURES</u>
	<u>15-16</u>	<u>16-17</u>		
Benefits.....	<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>                    </u>
Operating.....	<u>                    </u>	<u>                    </u>	<u>67,678</u>	<u>128,212</u>
Travel.....	<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>                    </u>
Capital outlay.....	<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>                    </u>
Aid.....	<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>                    </u>
Capital improvements.....	<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>                    </u>
TOTAL.....	<u>                    </u>	<u>                    </u>	<u>67,678</u>	<u>128,212</u>