

FISCAL NOTE
 LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES *				
	FY 2009-10		FY 2010-11	
	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.

This bill would change Sex Offender Registration Act provisions.

The Supreme Court estimates no fiscal impact.

The State Patrol states that the bill will require changes to its operations, but it will absorb any additional costs within its current budget.

The Department of Correctional Services (DCS) states the following:

Impact to the Department of Correctional Services (DCS):

In General: Most of the provisions of this bill do not directly affect the Department of Correctional Services. DCS currently registers inmates before release and will continue to do so, while adhering to the revised registration time line and information requirements. No additional resources will be required relating to these sections of the bill.

Lifetime Supervision: It is likely that a number of additional individuals will be classified as lifetime supervision offenders both because 1) a number of additional offenses have been added to the list of registerable offenses, and an individual who has a conviction for a previous registerable offense becomes a lifetime supervision offender; and 2) with the broader definition of an aggravated offense it is likely more offenders will be convicted of the aggravated offense and be required to register as a lifetime supervision offender. However, DCS is not able to determine at this time how many additional individuals this will impact. For informational purposes, there are 872 sex offenders currently incarcerated in DCS facilities. There are 43 sex offenders currently on parole, and there are 53 lifetime sex offenders that are being supervised by Adult Parole. Additionally, there are currently approximately 24 offenders that will be supervised as lifetime supervision offenders upon their release from the Regional Centers. There are 56 sex offenders that will discharge by 6/30/2009, another approximately 140 that will discharge by 6/30/2010, and another approximately 110 that will discharge by 6/10/2011.

Reviews will be done on all these individuals prior to their release to determine who qualify for lifetime supervision. Based on preliminary information, it is estimated that 55% to 65% of these individuals would be subject to lifetime supervision, or 77 to 90 in FY09-10 and 60-72 in FY10-11. However, some of these individuals could be committed to the Regional Centers, and some are likely to move out of state. These numbers are anticipated to increase with the expanded provisions of this legislation. DCS believes it is currently positioned to adequately supervise up to 50 additional lifetime supervision inmates each of the next two years. (DCS was authorized seven lifetime supervision officers in FY08-09, but has only recently hired the 4th officer. The remaining three officer positions will be filled between now and the end of the next biennium).

If the legislation results in more than 50 individuals in each of the next two years being classified and actively supervised as lifetime sex offenders, DCS will almost certainly require additional resources to the current authorized levels in order to accommodate the higher activity.

DCS current total inmate population is 4424 (3/10/2009)

The FY08 per diem (cost per day of feeding, clothing, housing, medical, etc) for an individual inmate was \$5,509/yr.

DEPARTMENT OF ADMINISTRATIVE SERVICES

REVIEWED BY	Joe Wilcox	DATE 3/16/09	PHONE 471-2526
COMMENTS			
DEPARTMENT OF CORRECTIONAL SERVICES: No basis to dispute DCS analysis. NEBRASKA STATE PATROL: Concur, agency will absorb any additional cost within their budget. SUPREME COURT: Concur with agency analysis for the Supreme Court.			