

**FISCAL NOTE**  
 LEGISLATIVE FISCAL ANALYST ESTIMATE

<b>ESTIMATE OF FISCAL IMPACT – STATE AGENCIES *</b>				
	<b>FY 2010-11</b>		<b>FY 2011-12</b>	
	<b>EXPENDITURES</b>	<b>REVENUE</b>	<b>EXPENDITURES</b>	<b>REVENUE</b>
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 provisions relating to criminal attempt.

The Department of Correctional Services (DCS) states that costs are indeterminate. The response follows:

LB840 amends the Criminal Attempt Statute to include IC and ID felonies as Class II felonies when the crime attempted is a Class IC or ID felony. Currently this statute does not include IC & ID felonies, but only includes Class I, IA and IB felonies.

Ten individuals were sentenced for Criminal Attempt (Class II felony) in CY2008 and thirteen were sentenced for this offense in 2009. (where the original crime was a Class I, IA, or IB felony).

It is unknown how many would be sentenced for Criminal Attempt Class IC or ID, that may currently be charged and sentenced under other offenses.

The fiscal impact is not determinable.

DCS current inmate population is 4,447 (2/04/2010).

The FY09 per diem (cost per day of feeding, clothing, housing, medical, etc) for an individual inmate was \$5,580/yr.