PREPARED BY: DATE PREPARED: PHONE: Doug Nichols January 21, 2015 471-0052

LB 137

Revision: 00

FISCAL NOTE

LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT — STATE AGENCIES (See narrative for political subdivision estimates)									
	FY 2015-16		FY 2016-17						
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE					
GENERAL FUNDS	7,124 – 14,248		14,248 – 21,372						
CASH FUNDS									
FEDERAL FUNDS									
OTHER FUNDS									
TOTAL FUNDS	7,124 – 14,248		14,248 – 21,372						

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

This bill changes provisions relating to discharge of a firearm.

It would change the provisions of knowingly and intentionally discharging a firearm from inside or nearby a motor vehicle, towards another person, house, vehicle or building (drive-by shooting).

Currently, this provision applies "within the territorial boundaries of any city of the first class or county containing a city of the metropolitan class or primary class". The bill would strike this provision and the drive-by shooting provisions would apply state-wide.

Having the drive-by shooting provisions apply state-wide could increase the number of persons convicted of this crime (Class IC Felony: Maximum — fifty years imprisonment, and Mandatory minimum — five years imprisonment). Having more people convicted of this crime could increase the inmate prison population. As of December 31, 2014, the inmate prison population was 159% of design capacity. On December 31, 2013, the inmate prison population was 153% of design capacity.

For every additional 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 a potential increase in the inmate prison population of approximately 1% per year. This could result in additional per diem costs of between \$7,124 - \$14,248 in FY16 and \$14,248 - \$21,372 in FY17.

			FISCAL NOTE		
State Agency OR Political Subdivision Name:	Nebraska Depa	Nebraska Department of Corrections			
Prepared by: (3) Chris Peters	Date Prepared: (4)	1/20/2015 Phone: ((402) 479-5702		
ESTIMATE PRO	OVIDED BY STATE AGEN	ICY OR POLITICAL SUBDIV	ISION		
	FY 2015-16	FY 201			
EXPENDITUR	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>		
GENERAL FUNDS \$7,124 - \$14,248	8	<u>\$14,248 - \$21,372</u>			
CASH FUNDS		. <u> </u>			
FEDERAL FUNDS		<u> </u>			
OTHER FUNDS					
ΓΟΤΑL FUNDS \$7,124 - \$14,248	8	\$14,248 - \$21,372			
Explanation of Estimate: LB 137 proposes removing the territor outlined in N.R.S. 28-1212.04. There Based on inmates who have been converged period, 9 inmates are admitted exalculated, it is apparent that the bill woncarceration. A 10% increase in convergence in convergence in the convergence in convergence in convergence in the con	nvicted of at least one co ach year. Although the vould have a net-widenin victions would result in 1	to the length of sentence. bunt of unlawful discharge of exact impact of the LB 137 of general general general general additional admission a year	f a firearm over a 5- change cannot be ble eligible for r. A 25% increase		
would result in 2 additional admissions stay associated with this offense, over average daily population by approxima	r time the additional inma				
Using the 2014 Per Diem rate (annua the annual impact of this bill could ran					

BREAK	DOWN BY MA.	OR OBJECTS O	OF EXPENDITURE	
Personal Services:				
	NUMBER OF POSITIONS		2015-16	2016-17
POSITION TITLE	<u>15-16</u>	<u>16-17</u>	EXPENDITURES	EXPENDITURES
Benefits				
Operating			\$7,124 - \$14,248	\$14,248 - \$21,372
Travel				
Capital outlay				
Aid				
Capital improvements	••••			
TOTAL			\$7,124 - \$14,248	\$14,248 - \$21,372