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Updated on February 7, 2007, for additional information received from the Nebraska State Patrol.

**FISCAL NOTE**  
 LEGISLATIVE FISCAL ANALYST ESTIMATE

<b>ESTIMATE OF FISCAL IMPACT – STATE AGENCIES *</b>				
	<b>FY 2007-08</b>		<b>FY 2008-09</b>	
	<b>EXPENDITURES</b>	<b>REVENUE</b>	<b>EXPENDITURES</b>	<b>REVENUE</b>
GENERAL FUNDS	504,593		See Below	
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS	504,593		See Below	

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

This bill will change provisions relating to dissemination of records of arrest.

The Nebraska Supreme Court (NSC) estimates a one-time General Fund cost for programming the JUSTICE system of \$3,000. It appears that the NSC should be able to absorb this cost within their current appropriations.

Nebraska State Patrol (NSP) notes that the bill requires the following:

- (1) In cases of arrest where the prosecutor declines to file charges, the notation of arrest is removed from the public record after 1 year;
- (2) In cases of arrest where charges are not filed as a result of a completed criminal diversion program, the record of arrest is removed from the public record after 2 years; and
- (3) In the case of an arrest where charges are filed but later dismissed on motion of the prosecuting attorney or as the result of a hearing not subject to appeal, the record of arrest is removed from the public record after 3 years.

The NSP states that an automated process to implement the requirements of this bill is currently not available in the criminal history database. In order to automate the current database, the NSP estimates it would incur a one-time programming cost of \$504,593.

This cost would be for interfaces that will have to be built to a court case management system, a prosecutor case management system, and a diversion system. A web site to allow for the manual entry of dispositions for agencies with no or inadequate infrastructure is also included in the estimate. Changes to the database will be required to limit the dissemination of data to the public.

This one-time cost to change the current database would then allow for the electronic management of the database to meet the requirements of the bill.