

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

<b>ESTIMATE OF FISCAL IMPACT – STATE AGENCIES</b> (See narrative for political subdivision estimates)				
	<b>FY 2017-18</b>		<b>FY 2018-19</b>	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS				
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS				

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

This bill would change a penalty relating to tampering with witnesses or informants.

The Department of Correctional Services (NDCS) states that this bill will not increase the number of admissions but has the potential to increase sentence length. It is unknown how many people currently in NDCS custody with tampering convictions attempted to change the outcome of a felony charge and would face the increased penalty or how much the actual sentences imposed by the court would increase compared to the status quo. Therefore, NDCS states that this bill has an indeterminate fiscal impact at this time. See the NDCS response for additional details.

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

**2017**

**LB<sup>(1)</sup> 102**

**FISCAL NOTE**

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

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

	<u>FY 2017-18</u>		<u>FY 2018-19</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	_____	_____	_____	_____
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
<b>TOTAL FUNDS</b>	=====	=====	=====	=====

**Explanation of Estimate:**

LB 102 increases the penalty for the offense of jury tampering from a Class IV felony to a Class II felony when the offense involves an attempt to change a felony charge. A class IV felony is punishable with up to a two year prison sentence followed 9 months of post release supervision. A class II felony carries a penalty of 0-50 years in prison.

Between FY 2012 and FY 2016, an average of 24.8 new inmates were admitted each year for tampering convictions (approx. 1.1% of new admissions) and these admissions contributed approximately 55 to the average daily population each year. Between FY2014 and FY2016 tampering convictions increased by 11% and based on these trends it is estimated that NDCS will see 42 new admissions for FY 18 and 47 in FY 2019 (ADP 79).

LB 102 will not increase the number of admissions but has the potential to increase sentence length for future tampering admissions. It is unknown how many people currently in NDCS custody with tampering convictions attempted to change the outcome of a felony charge and would face the increased penalty or how much the actual sentences imposed by the court would increase compared to the status quo. As a result, the fiscal impact of the changes in LB 102 are indeterminable at this time.

**BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE**

**Personal Services:**

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2017-18</u>	<u>2018-19</u>
	<u>17-18</u>	<u>18-19</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
<b>TOTAL.....</b>	_____	_____	_____	_____