

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

<b>ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)</b>				
	<b>FY 2021-22</b>		<b>FY 2022-23</b>	
	<b>EXPENDITURES</b>	<b>REVENUE</b>	<b>EXPENDITURES</b>	<b>REVENUE</b>
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 adopt the Doxing Prevention Act and change and provide penalties and a civil action for false reporting.

The bill provides for felony, misdemeanor, and infraction penalties for doxing and making a false report, and it also provides for enhanced penalties if doxing or making a false report is based on the person's race, color, religion, etc.

Upon conviction for making a false report, a court may order the person to make restitution to a public agency for the reasonable costs of the emergency response resulting from the false report.

This bill creates a new offense for which prison or jail time are possible. As such, this could impact the prison and jail populations.

The Department of Correctional Services (DCS) states that this bill could increase the number of persons in prison, but the specific impact is indeterminable. If the impact of this bill is to increase the prison population by more than current law, then this could have an impact on prison overcrowding. The average daily prison population was 145% of design capacity as of December 2020.

If the impact of this bill is to increase the prison population, then DCS could incur additional per diem costs. The FY20 per diem cost for an individual inmate was \$10,180 per year, which includes DCS inmates in county jails.

This bill could impact county jails because misdemeanor sentences are generally served in county jails if jail time is imposed. If the impact of this bill is to increase the number of people serving time in county jails by more than current law, this could result in additional costs to counties.

Additionally, the penalties under this bill also carry the possibility of a fine being imposed. Any fines assessed pursuant to convictions will accrue to the county where the violation occurs to be used for the support of public schools.

Political subdivisions that have provided emergency response services of the police, fire department, etc., may receive additional funds from restitution orders from such persons who are convicted of making false reports.

The Supreme Court estimates a minimal fiscal impact for court education, and a possible but undetermined court workload increase.

The Board of Parole estimates no significant impact from this bill.

<b>ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY &amp; POLT. SUB. RESPONSE</b>		
<b>LB: 227</b>	<b>AM:</b>	<b>AGENCY/POLT. SUB: Nebraska Department of Correctional Services (46)</b>
REVIEWED BY: Joe Wilcox	DATE: 01/14/2021	PHONE: (402) 471-4178
COMMENTS: No basis to dispute the Nebraska Department of Correctional Services (NDCS) estimate of Indeterminate Fiscal Impact to the Agency from LB 227.		

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
<b>LB: 227</b>	<b>AM:</b>	<b>AGENCY/POLT. SUB: Nebraska Supreme Court (05)</b>
REVIEWED BY: Joe Wilcox	DATE: 03/04/2021	PHONE: (402) 471-4178
COMMENTS: No basis to dispute the Nebraska Supreme Court estimate of "Minimal" Fiscal Impact to the Agency from LB 227. The Court indicates no additional resources would be required by the Agency to implement the provisions of the bill.		

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
<b>LB: 227</b>	<b>AM:</b>	<b>AGENCY/POLT. SUB: Nebraska Board of Parole (15)</b>
REVIEWED BY: Joe Wilcox	DATE: 01/20/2021	PHONE: (402) 471-4178
COMMENTS: No basis to dispute the Nebraska Board of Parole estimate of No Significant Fiscal Impact to the Agency from LB 227.		

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

**2021**

**LB<sup>(1)</sup> 227**

**FISCAL NOTE**

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

Prepared by: <sup>(3)</sup> Lisa Stanton Date Prepared: <sup>(4)</sup> 01/13/2021 Phone: <sup>(5)</sup> (402)479-5702

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

	<u>FY 2021-22</u>		<u>FY 2022-23</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	_____	_____	_____	_____
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
TOTAL FUNDS	=====	=====	=====	=====

**Explanation of Estimate:**

LB 227 adopts the Doxing Prevention Act. The bill could increase the number of persons in prison. The specific amount of impact is indeterminable.

As of December 2020, the average daily prison population (ADP) was 145% of Design capacity. The FY20 per diem cost is \$27.89 for each inmate, or \$10,180 per year.

**BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE**

**Personal Services:**

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2021-22</u>	<u>2022-23</u>
	<u>21-22</u>	<u>22-23</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	_____	_____	_____	_____

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

**2021**

**LB<sup>(1)</sup> 227**

**FISCAL NOTE**

State Agency OR Political Subdivision Name: <sup>(2)</sup> 05 Supreme Court

Prepared by: <sup>(3)</sup> Eric Asboe Date Prepared: <sup>(4)</sup> 3/3/2021 Phone: <sup>(5)</sup> 402-326-9215

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

	<u>FY 2021-22</u>		<u>FY 2022-23</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	_____	_____	_____	_____
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
TOTAL FUNDS	=====	=====	=====	=====

Explanation of Estimate:

LB227 includes the following impact. No additional resources required at this time.

1. Minimal impact to provide judicial and court staff education.
2. Judicial and court staff workload may increase. However, a reasonable estimate if any impact cannot be determined.

**BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE**

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2021-22</u>	<u>2022-23</u>
	<u>21-22</u>	<u>22-23</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	_____	_____	_____	_____

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

**2021**

**LB<sup>(1)</sup> 227**

**FISCAL NOTE**

State Agency OR Political Subdivision Name: <sup>(2)</sup> Nebraska Board of Parole

Prepared by: <sup>(3)</sup> Rosalyn Cotton Date Prepared: <sup>(4)</sup> January 15, 2021 Phone: <sup>(5)</sup> 402 479-5731

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

	<u>FY 2021-22</u>		<u>FY 2022-23</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	_____	_____	_____	_____
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
TOTAL FUNDS	=====	=====	=====	=====

Explanation of Estimate:

No significant impact on budget related to LB 227

**BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE**

**Personal Services:**

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2021-22</u>	<u>2022-23</u>
	<u>21-22</u>	<u>22-23</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	_____	_____	_____	_____