

PREPARED BY: Kenneth Boggs
 DATE PREPARED: January 18, 2023
 PHONE: 402-471-0050

LB 432

Revision: 00

FISCAL NOTE

LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)				
	FY 2023-24		FY 2024-25	
	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.

LB 432 seeks to allow the use of nitrogen hypoxia as a method of carrying out the death penalty.

The Nebraska Department of Correctional Services (NDCS) states that the frequency of nitrogen hypoxia use is uncertain due to the irregularity of death penalty cases and the department's discretion in selecting execution methods. While implementing nitrogen hypoxia would require purchasing equipment, the costs could be offset by savings from reduced reliance on lethal injection, with the overall impact likely manageable without additional appropriations.

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE			
LB: 432	AM:	AGENCY/POLT. SUB: Department of Correctional Services	
REVIEWED BY: Jacob Leaver	DATE: 1/27/2025	PHONE: (402) 471-4173	
COMMENTS: Concur with the Department of Correctional Services' estimate of no fiscal impact as a result of LB 432			

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

2025

LB⁽¹⁾ 432

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾ Nebraska Department of Correctional Services

Prepared by: ⁽³⁾ Lisa Stanton Date Prepared: ⁽⁴⁾ 01/21/2025 Phone: ⁽⁵⁾ (402)479-5702

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2025-26</u>		<u>FY 2026-27</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:

LB432 would allow for the death penalty to be carried out by nitrogen hypoxia in the State of Nebraska. How often nitrogen hypoxia would be used is indeterminable because we cannot predict the regularity of the use of the death penalty, and because the bill provides the department discretion over which method to use.

The use of nitrogen hypoxia would require the department to acquire equipment, but such costs would be offset by reduced expenses needed for lethal injection.

The specific impact is indeterminable but could likely be accomplished without additional appropriation.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2025-26</u>	<u>2026-27</u>
	<u>25-26</u>	<u>26-27</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	_____	_____	_____	_____