

LB

PREPARED BY:
DATE PREPARED:
PHONE:

Doug Nichols
January 31, 2011
471-0052

LB 137

Revision: 00

FISCAL NOTE

LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES *

	FY 2011-12		FY 2012-13	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS				
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS				

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

This bill would change provisions relating to postconviction relief.

The Attorney General estimates no fiscal impact.

The Department of Correctional Services (DCS) estimates a minimal fiscal impact and their response follows:

LB137 provides for post conviction relief. The bill provides that a prisoner may file such a motion within one year after the date the judgment of conviction became final (rather than at any time); and also provides that any prisoner whose conviction was final prior to the effective date of this act may file such a motion within one year of the effective date of this act.

While the Nebraska Department of Correctional Services (NDCS) may have a number of current inmates initiate filings within this one year deadline, it is unknown how many actions would be successful. Any short-term impact, (such as an increase in inmates' usage of NDCS law libraries etc) would be absorbed by the Department.

DEPARTMENT OF ADMINISTRATIVE SERVICES

REVIEWED BY	Joe Wilcox	DATE	1/20/11	PHONE	471-2526
-------------	------------	------	---------	-------	----------

COMMENTS

ATTORNEY GENERAL: Concur with agency analysis relative to the Attorney General.
DEPARTMENT OF CORRECTIONAL SERVICES: Concur with agency analysis for DCS.

FISCAL NOTE LB137

Attorney General

RECEIVED
JAN 21 2011
 LEGISLATIVE FISCAL

Prepared By	Freudenberg, John
Date Prepared	1/13/2011
Prepared Phone	402-471-2687

Estimate Provided By State Agency or Political Subdivision

	FY 2011-2012		FY 2012-2013	
	Expenditures	Revenue	Expenditures	Revenue
General Funds	0		0	
Cash Funds				
Federal Funds				
Other Funds				
Total Funds	0		0	

Explanation of Estimate:

No Fiscal Impact.

Major Objects of Expenditure

Position Title	Number of Positions		FY 2011-2012	FY 2012-2013
	FY 2011-2012	FY 2012-2013	Expenditures	Expenditures
		Benefits		
		Operating		
		Travel		
		Capital outlay		
		Aid		
		Capital improvements		
		Total		

RECEIVED

JAN 25 2011

LEGISLATIVE FISCAL

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

2011

DRAFT

LB 137 FISCAL NOTE

State Agency OR Political Subdivision Name: (2) DEPARTMENT OF CORRECTIONAL SERVICES

Prepared by: (3) Kate Morris

Date Prepared: (4) 1/25/2011

Phone: (5) 479-5702

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	FY 2011-2012		FY 2012-2013	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS	minimal	_____	_____	_____
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
TOTAL FUNDS	_____	_____	_____	_____

Return by date specified or 72 hours prior to public hearing, whichever is earlier.
Explanation of Estimate:

LB137 provides for post conviction relief. The bill provides that a prisoner may file such a motion within one year after the date the judgment of conviction became final (rather than at any time); and also provides that any prisoner whose conviction was final prior to the effective date of this act may file such a motion within one year of the effective date of this act.

While the Nebraska Department of Correctional Services (NDCS) may have a number of current inmates initiate filings within this one year deadline, it is unknown how many actions would be successful. Any short-term impact, (such as an increase in inmates' usage of NDCS law libraries etc) would be absorbed by the Department.

MAJOR OBJECTS OF EXPENDITURE

Personal Services: _____

POSITION TITLE	NUMBER OF POSITIONS		2011 - 2012	2012-2013
	11-12	12-13	EXPENDITURES	EXPENDITURES
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Benefits	_____	_____	_____	_____
Operating	_____	_____	_____	_____
Travel	_____	_____	_____	_____
Capital outlay	_____	_____	_____	_____
Aid	_____	_____	_____	_____
Other	_____	_____	_____	_____
Capital improvements	_____	_____	_____	_____
TOTAL	_____	_____	_____	_____