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PREPARED BY: Doug Nichols
DATE PREPARED: January 19, 2011
PHONE: 471-0052

LB 61

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 and provide penalties relating to unlawful intrusion.

The Department of Correctional Services (DCS) states that the impact of this bill is not determinable. Their response follows:

LB61 changes penalties related to unlawful intrusion.

The bill increases the basic penalty from either a Class III misdemeanor or Class II misdemeanor to a Class I misdemeanor (not more than one year imprisonment or \$1000 fine, or both).

The bill also increases the penalty to a Class IV felony (0-5 yrs imprisonment) if the intrusion is video, audio, or electronically recorded; and increases it further to a Class III felony (1-20 yrs imprisonment) if it is recorded and the recording is distributed or otherwise made public.

While the bill could potentially result in more individuals sentenced to NDCS, the impact is not determinable. DCS current inmate population is 4,599 (1/18/2011 Tuesday Count). The FY10 per diem (cost per day of feeding, clothing, housing, medical, etc) for an individual inmate was \$5,625/yr.

DEPARTMENT OF ADMINISTRATIVE SERVICES

REVIEWED BY	Joe Wilcox	DATE	1/19/11	PHONE	471-2526
COMMENTS					
DEPARTMENT OF CORRECTIONAL SERVICES: No basis to dispute agency analysis relative to DCS.					

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

LB 61 FISCAL NOTE

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

Prepared by: (3) Kate Morris

Date Prepared: (4) 1/17/2011

Phone: (5) 479-5702

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	FY 2011-2012		FY 2012-2013	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS	<u>not determinable</u>	_____	_____	_____
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:

LB61 changes penalties related to unlawful intrusion.

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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	_____	_____	_____	_____