

FISCAL NOTE
 LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)				
	FY 2019-20		FY 2020-21	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS	See Below			
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 provisions relating to placement of Department of Correctional Services (DCS) inmates in county jails.

The bill applies the following limitations on placing DCS inmates in county jails:

- No more than 150 in a year statewide;
- Only those within one year of parole or release eligibility or those requiring only community-based or minimum-security supervision;
- Only if the county jail facility has the capacity and agrees to offer services to meet the offender's prerelease programming requirements when such programming is needed to become eligible for parole or release;
- DCS may place an offender who does not require programming in a county jail facility without programming; and,
- DCS may not withhold good time or sanction an offender because of his or her refusal to participate in placement in a county jail.

DCS estimates that this bill will result in 23 inmates per day staying in its facilities rather than county jails, and this could cost an estimated \$136,758 more per year.

DCS currently contracts with willing counties to use their jails to house DCS inmates. Additionally, DCS incurs per diem costs for each inmate in their facilities: \$8,226 per year in FY18.

Therefore, it appears that the impact of this bill is probably indeterminate because it would depend on the cost differential between the DCS inmate per diem and the amount paid to county jails to house DCS inmates, including the costs of transporting DCS inmates to and from county jails.

It is also noted that as of July-September 2018, the prison population was 156% of design capacity. If DCS inmates housed in county jails are included in the prison population numbers, then the prison population would be 158% of design capacity.

The Lancaster County Department of Corrections estimates no fiscal impact from this bill.

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE			
LB: 108	AM:	AGENCY/POLT. SUB: Nebraska Department of Correctional Services (046)	
REVIEWED BY: Joe Wilcox	DATE: 01/25/2019	PHONE: (402) 471-4178	
COMMENTS: No basis to dispute the Nebraska Department of Correctional Services (NDCS) estimate of potential Fiscal Impact to the Agency from LB 108.			

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
LB: 108	AM:	AGENCY/POLT. SUB: Lancaster County Department of Corrections
REVIEWED BY: Joe Wilcox	DATE: 01/14/2019	PHONE: (402) 471-4178
COMMENTS: No basis to dispute the Lancaster County Department of Corrections estimate of No Fiscal Imp act to the County Department of Corrections from LB 108		

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

2019

LB⁽¹⁾ 108

FISCAL NOTE

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

Prepared by: ⁽³⁾ Sara Sump Date Prepared: ⁽⁴⁾ 1/22/19 Phone: ⁽⁵⁾ 402.479.5702

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2019-20</u>		<u>FY 2020-21</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	\$136,758		\$136,758	
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS	<u>\$136,758</u>	<u>0</u>	<u>\$136,758</u>	<u>0</u>

Explanation of Estimate:

LB 108 will restrict the types of inmates NDCS is able to send to county jails, it is estimated that an additional 23 inmates per day would occupy beds in NDCS facilities instead of contracted county jail due to the limitations in the bill. That results in an additional cost of \$136,758 per year, based on the average cost of an inmate.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2019-20</u>	<u>2020-21</u>
	<u>19-20</u>	<u>20-21</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
Benefits.....				
Operating.....			\$136,758	\$136,758
Travel.....				
Capital outlay.....				
Aid.....				
Capital improvements.....				
TOTAL.....			<u>\$136,758</u>	<u>\$136,758</u>

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

2019

LB⁽¹⁾ 108

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾ Lancaster County Department of Corrections

Prepared by: ⁽³⁾ LT William McGlothlin Date Prepared: ⁽⁴⁾ 1-14-2019 Phone: ⁽⁵⁾ 402-441-1919

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2019-20</u>		<u>FY 2020-21</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:

Lancaster County Department of Corrections predicts this legislative bill will have no fiscal impact as currently proposed.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2019-20</u>	<u>2020-21</u>
	<u>19-20</u>	<u>20-21</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	_____	_____	_____	_____