

**FISCAL NOTE**  
 LEGISLATIVE FISCAL ANALYST ESTIMATE

<b>ESTIMATE OF FISCAL IMPACT – STATE AGENCIES</b> (See narrative for political subdivision estimates)				
	<b>FY 2019-20</b>		<b>FY 2020-21</b>	
	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 provide that inmates at the Department of Correctional Services (DCS) shall have reasonable access to their attorneys. The bill further provides that, if an inmate communicates with his or her attorney by telephone, such communication shall be provided without charge to the committed offender and without monitoring or recording by DCS or law enforcement.

DCS states that in 2018, calls between an inmate and his/her attorney cost \$5,800. If this bill passes, DCS estimates that the cost of these calls will increase to \$25,000.

Although the cost of inmate to attorney calls increasing from \$5,800 to \$25,000 seems high, the Legislative Fiscal Office (LFO) fiscal analyst does not have any basis to disagree. If this cost increase does occur as estimated by DCS, they should be able to handle it within their current appropriation.

<b>ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY &amp; POLT. SUB. RESPONSE</b>			
<b>LB: 443</b>	<b>AM:</b>	<b>AGENCY/POLT. SUB: Nebraska Department of Correctional Services (046)</b>	
REVIEWED BY: Joe Wilcox	DATE: 01/30/2019	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 443.			

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

**2019**

**LB<sup>(1)</sup> 443**

**FISCAL NOTE**

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

Prepared by: <sup>(3)</sup> Sara Sump Date Prepared: <sup>(4)</sup> 1/28/19 Phone: <sup>(5)</sup> 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	\$25,000		\$25,000	
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
<b>TOTAL FUNDS</b>	<u>\$25,000</u>	<u>0</u>	<u>\$25,000</u>	<u>0</u>

**Explanation of Estimate:**

LB 443 will allow inmates to communicate with their attorney(s) without a charge and without monitoring or recording. Presently inmates and/or the attorney pay the phone provider for the phone call; NDCS estimates if LB 443 passes the number of attorney phone calls will increase and cost the department approximately \$25,000. In 2018, there were a total of 16,957 legal calls made which cost the inmates and/or attorney approximately \$5,800.

**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.....				
<b>TOTAL.....</b>				