

**FISCAL NOTE**  
 LEGISLATIVE FISCAL ANALYST ESTIMATE

<b>ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)</b>				
	<b>FY 2019-20</b>		<b>FY 2020-21</b>	
	<b>EXPENDITURES</b>	<b>REVENUE</b>	<b>EXPENDITURES</b>	<b>REVENUE</b>
GENERAL FUNDS				
CASH FUNDS	25,000		0	
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS	25,000		0	

**Any Fiscal Notes received from state agencies and political subdivisions are attached following the Legislative Fiscal Analyst Estimate.**

This bill would eliminate cash bail bonds, appearance bonds, and related provisions. It also outright repeals the following sections:

- 29-901.05: Bail; uniform schedule; how adopted; payment; procedure;
- 29-902: Bail; proceeding for taking;
- 29-905: Surrender of accused by surety to court; discharge of surety; new recognizance; conditions;
- 29-906: Surrender of accused by surety to sheriff; authority;
- 29-907: Surrender of accused by surety to sheriff; duty of sheriff; discharge of surety;
- 29-1105: Recognizance forfeited; recovery notwithstanding defects;
- 29-1106: Recognizance forfeited; when;
- 29-1107: Recognizance forfeited; set aside; conditions;
- 29-1108: Recognizance forfeited; motion; notice; judgment; cash deposit, disposition;
- 29-1109: Recognizance forfeited; judgment; remission; conditions;
- 29-1110: Recognizance forfeited; satisfaction; forfeiture set aside or remitted; exoneration of surety; and
- 60-686: Posting of bond; forfeiture of bonds; exceptions.

The Supreme Court states that the bill would require one-time changes in the Judicial Branch case management system (JUSTICE) estimated at \$25,000 in Cash Funds. The Court also notes that there is a potential for a significant impact on court resources and judicial workload, but this impact cannot be determined at this time.

The Cities of Imperial and Lincoln estimate no fiscal impact from this bill.

The Lancaster County Department of Corrections (DOC) estimates that their jail population could be reduced by 100 inmates. These inmates could then be assigned to Lancaster County Community Corrections for pretrial supervision. DOC could then reduce the number of correctional officers by five. The reduction in costs is estimated at \$662,468 in both FY20 and FY21, and includes the costs for the correctional officers, meals, prescriptions, and hospitalizations. DOC shows the reduction on their response as a positive amount in the "REVENUE" column, rather than as a negative amount in the "EXPENDITURES" column.

The Lancaster County Community Corrections estimates the following additional costs:

FY20: \$65,310 for two part-time case managers at the jail, a Pretrial Risk Assessment Review/Validation instrument, travel to and from the jail for screening, and one computer and monitor.

FY21: \$117,167 for two part-time case managers at the jail and one full-time case manager at the office, and travel to and from the jail for screening.

See the attached responses of the Lancaster County Department of Corrections and Community Corrections for additional details.

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
<b>LB: 646</b>	<b>AM:</b>	AGENCY/POLT. SUB: <b>Nebraska Supreme Court (005)</b>
REVIEWED BY: Joe Wilcox	DATE: 02/12/2019	PHONE: (402) 471-4178
COMMENTS: No basis to dispute the Nebraska Supreme Court estimate of potential Fiscal Impact to the Agency from LB646.		

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
<b>LB: 646</b>	<b>AM:</b>	AGENCY/POLT. SUB: <b>City of Imperial</b>
REVIEWED BY: Joe Wilcox	DATE: 01/28/2019	PHONE: (402) 471-4178
COMMENTS: No basis to dispute the City of Imperial estimate of No Fiscal Impact to the City from LB 646.		

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
<b>LB: 646</b>	<b>AM:</b>	AGENCY/POLT. SUB: <b>City of Lincoln</b>
REVIEWED BY: Joe Wilcox	DATE: 01/31/2019	PHONE: (402) 471-4178
COMMENTS: No basis to dispute the City of Lincoln estimate of No Fiscal Impact to the City from LB 646.		

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
<b>LB: 646</b>	<b>AM:</b>	AGENCY/POLT. SUB: <b>Lancaster County Department of Corrections</b>
REVIEWED BY: Joe Wilcox	DATE: 02/05/2019	PHONE: (402) 471-4178
COMMENTS: No basis to dispute the Lancaster County Department of Corrections estimate of potential Fiscal Impact to the Department from LB 646, except form a technical standpoint - the narrative in the fiscal note indicates potential reductions in expenditures and the actual figures presented appear as positives on the Revenue side.		

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
<b>LB: 646</b>	<b>AM:</b>	AGENCY/POLT. SUB: <b>Lancaster County Community Corrections</b>
REVIEWED BY: Joe Wilcox	DATE: 02/04/2019	PHONE: (402) 471-4178
COMMENTS: No basis to dispute the Lancaster County Community Corrections estimate of potential Fiscal Impact to the County from LB 646.		

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

**2019**

**LB<sup>(1)</sup> 646**

**FISCAL NOTE**

State Agency OR Political Subdivision Name: <sup>(2)</sup> 05 Supreme Court

Prepared by: <sup>(3)</sup> Eric Asboe Date Prepared: <sup>(4)</sup> 2/11/19 Phone: <sup>(5)</sup> 1-4138

**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	<u>25,000</u>	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
TOTAL FUNDS	<u>25,000</u>	_____	_____	_____

**Explanation of Estimate:**

LB646, as introduced, would require one-time changes in JUSTICE, the Judicial Branch case management system. Estimated impact: 25,000 Cash Funds. In addition, there is the potential for a significant impact on court resources and judicial workload. At this time, the extent of any impact cannot be determined.

**BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE**

**Personal Services:**

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2019-20 EXPENDITURES</u>	<u>2020-21 EXPENDITURES</u>
	<u>19-20</u>	<u>20-21</u>		
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	<u>25,000</u>	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	_____	_____	<u>25,000</u>	_____

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

**2019**

**LB<sup>(1)</sup> 646**

**FISCAL NOTE**

State Agency OR Political Subdivision Name: <sup>(2)</sup> City of Imperial

Prepared by: <sup>(3)</sup> Jo Leyland Date Prepared: <sup>(4)</sup> 01/24/2019 Phone: <sup>(5)</sup> 308-882-4368

**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	_____	_____	_____	_____
<b>TOTAL FUNDS</b>	<b>=====</b>	<b>=====</b>	<b>=====</b>	<b>=====</b>

Explanation of Estimate:

No Fiscal Impact

**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>	<b>_____</b>	<b>_____</b>	<b>_____</b>	<b>_____</b>

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

**2019**

**LB<sup>(1)</sup> 646**

**FISCAL NOTE**

State Agency OR Political Subdivision Name: <sup>(2)</sup> City of Lincoln

Prepared by: <sup>(3)</sup> James Van Bruggen Date Prepared: <sup>(4)</sup> 1/31/19 Phone: <sup>(5)</sup> 441-8301

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:

No fiscal impact.

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.....	_____	_____	_____	_____

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

**2019**

**LB<sup>(1)</sup> 646**

**FISCAL NOTE**

State Agency OR Political Subdivision Name: <sup>(2)</sup> Lancaster County Department of Corrections

Prepared by: <sup>(3)</sup> Brad Johnson Date Prepared: <sup>(4)</sup> 2-4-2019 Phone: <sup>(5)</sup> 402-441-1902

**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	_____	\$662,468	_____	\$662,468
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
<b>TOTAL FUNDS</b>	<b>=====</b>	<b>\$662,468</b>	<b>=====</b>	<b>\$662,468</b>

**Explanation of Estimate:**

This estimated budget reduction is based on an assumption that we could see a reduction in our population of at least 100 inmates as that many could be assigned to Lancaster County Community Corrections for pretrial supervision under the bill.

With a reduction in population by 100 detainees we could reduce our correctional officer force by 5. Included in this reduction are meal cost, average prescription costs and average hospitalization costs.

**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>	_____	_____	_____	_____

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

**2019**

**LB<sup>(1)</sup> 646**

**FISCAL NOTE**

State Agency OR Political Subdivision Name: <sup>(2)</sup> Lancaster County Community Corrections (pretrial services)

Prepared by: <sup>(3)</sup> Kim Etherton Date Prepared: <sup>(4)</sup> 1/31/2019 Phone: <sup>(5)</sup> 402-441-3603

**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	<u>65,310</u>	<u>0</u>	<u>117,167</u>	<u>0</u>
CASH FUNDS	<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>                    </u>
FEDERAL FUNDS	<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>                    </u>
OTHER FUNDS	<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>                    </u>
<b>TOTAL FUNDS</b>	<b><u>65,310</u></b>	<b><u>0</u></b>	<b><u>117,167</u></b>	<b><u>0</u></b>

**Explanation of Estimate:**

-FY 2019-2020= two additional part time case managers at the jail. Only FICA is calculated for the part time positions. This expenditure is estimated based current pretrial #s in Lancaster County Jail (400 +/-), representing **less than 25%** being offered released for supervision by the Department of Community Corrections.

-Additional Funds are included for a Pretrial Risk Assessment Review/Validation

-Annual costs associated with travel to/from jail for screening

-One computer/monitor for additional case manager.

-FY 2020-2021= two part time case managers at the jail and one full time case manager at the office. Benefits are calculated per eligibility base on part time/full time.

This expenditure is estimated based current pretrial #s in Lancaster County Jail (400 +/-), representing **more than 25%** being offered released for supervision by the Department of Community Corrections. Thereafter, every 30-40 participants added would require an additional full time caseworker to preserve the integrity of the supervision strategies this agency uses.

-Annual costs associated with travel to/from jail for screening

**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>
Case Manager	<u>.5 PT(2)</u>	<u>1FT (1) .5 PT(2)</u>	<u>40,418</u>	<u>83,740</u>
Benefits.....			<u>3,092</u>	<u>31,627</u>
Operating.....			<u>20,000</u>	
Travel.....			<u>1,800</u>	<u>1,800</u>
Capital outlay.....			<u>2,000</u>	
Aid.....				
Capital improvements.....				
<b>TOTAL.....</b>			<b><u>65,310</u></b>	<b><u>117,167</u></b>