

FISCAL NOTE
LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)				
	FY 2021-22		FY 2022-23	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS	See Below	(\$1.9 to \$2 million)		(\$1.9 to \$2 million)
CASH FUNDS	\$25,000		0	
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS	\$25,000	(\$1.9 to \$2 million)	0	(\$1.9 to \$2 million)

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.

The Supreme Court estimates a one-time cost of \$25,000 to modify their case management system (JUSTICE). They show it as a General Fund cost, but this fiscal note shows it as cash funds.

Historically, JUSTICE expenditures have come from the Court Automation Cash Fund. The Court stated that the balance has been decreasing so any expenditures that would historically come from the cash fund will now be shown as General Funds on the Court's fiscal note responses. The FY20 balance in the Court Automation Cash Fund was just under \$817,000, down from \$1.3 million in FY19.

The Supreme Court also estimates a General Fund revenue reduction of \$1.9 to \$2 million per year for the portion of cash bonds from county courts that are deposited into the General Fund.

An undetermined judicial workload increase is also estimated by the Court, as well as an fiscal impact on Court education that is estimated not to be significant.

The Supreme Court is also assuming that Probation will not be one of the entities required to supervise persons under the provisions of this bill, but rather it would be counties that would provide such supervision. If that is not the case and Probation is required to provide supervision, this could increase General Fund expenditures, and the Court may need to revise their fiscal note.

See the Supreme Court's response attached for additional details not included in this fiscal note.

The Department of Motor Vehicles estimates significant staff time to comply with this bill but they will absorb any additional costs.

The State Patrol estimates no fiscal impact.

The Lancaster County Department of Corrections cannot estimate a fiscal impact from this bill.

Lancaster County Community Corrections estimates costs of \$76,089 in FY22, and \$82,595 in FY23 for an additional Case Manager and related expenses. They also note that additional staff may be required if the number of persons requiring supervision increases.

The Lancaster County Public Defender estimates an expenditure reduction of \$1.3 million because of a reduction in jail staff due to a lower jail population. On their fiscal note, they show this as a revenue increase rather than an expenditure reduction.

The City of Lincoln estimates no fiscal impact from this bill.

The City of Omaha estimates an indeterminate impact.

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
LB: 636	AM:	AGENCY/POLT. SUB: Nebraska Supreme Court (05)
REVIEWED BY: Joe Wilcox	DATE: 03/02/2021	PHONE: (402) 471-4178
COMMENTS: No basis to dispute the Nebraska Supreme Court estimate of potential Fiscal Impact to the Agency and potential loss in General Fund Revenue from LB 636.		

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
LB: 636	AM:	AGENCY/POLT. SUB: Nebraska Department of Motor Vehicles (24)
REVIEWED BY: Joe Wilcox	DATE: 01/26/2021	PHONE: (402) 471-4178
COMMENTS: No basis to dispute the Nebraska Department of Motor Vehicles (DMV) estimate of No Fiscal Impact to the Agency from LB 636. Any additional costs will be absorbed within existing Agency resources.		

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
LB: 636	AM:	AGENCY/POLT. SUB: Lancaster County Department of Corrections
REVIEWED BY: Joe Wilcox	DATE: 01/25/2021	PHONE: (402) 471-4178
COMMENTS: No basis to dispute the Lancaster County Department of Corrections estimate of potential, but Indeterminate Fiscal Impact to the County from LB 636.		

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
LB: 636	AM:	AGENCY/POLT. SUB: Lancaster County Public Defender
REVIEWED BY: Joe Wilcox	DATE: 03/01/2021	PHONE: (402) 471-4178
COMMENTS: No basis to dispute the Lancaster County Public Defender estimate of potential Savings to the County from LB 636, with the exception of a technical point - the fiscal note describes cost savings, but the figures in the table reflect revenues. It appears it should be reflected as cost reductions.		

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
LB: 636	AM:	AGENCY/POLT. SUB: Lancaster County
REVIEWED BY: Joe Wilcox	DATE: 01/27/2021	PHONE: (402) 471-4178
COMMENTS: No basis to dispute the Lancaster County estimate of potential Fiscal Impact to the County from LB 636.		

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
LB: 636	AM:	AGENCY/POLT. SUB: City of Lincoln
REVIEWED BY: Joe Wilcox	DATE: 02/03/2021	PHONE: (402) 471-4178
COMMENTS: No basis to dispute the City of Lincoln estimate of No Fiscal Impact to the City from LB 636.		

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
LB: 636	AM:	AGENCY/POLT. SUB: City of Omaha
REVIEWED BY: Joe Wilcox	DATE: 01/26/2021	PHONE: (402) 471-4178
COMMENTS: No basis to dispute the City of Omaha estimate of potential, but Indeterminate Fiscal Impact to the City from LB 636.		

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

2021

LB⁽¹⁾ 636

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾ Department of Motor Vehicles

Prepared by: ⁽³⁾ Bart Moore Date Prepared: ⁽⁴⁾ January 26, 2021 Phone: ⁽⁵⁾ 402-471-3902

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2021-22</u>		<u>FY 2022-23</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:

This legislation will require significant staff time in various divisions within the department that will need to be absorbed within existing appropriations.

The bill requires the Director to promulgate a rule and regulation on a subject matter that is not currently within the purview of the role and responsibility of the Department. Section 37 of the bill amends 60-1307, which outlines provisions for officers of the Nebraska State Patrol relating to the enforcement of commercial carriers.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2021-22</u>	<u>2022-23</u>
	<u>21-22</u>	<u>22-23</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.

2021

LB⁽¹⁾ 636

FISCAL NOTE

State Agency OR Political Subdivision Name: (2) Nebraska State Patrol

Prepared by: (3) Carol Aversman Date Prepared: (4) 2/27/2021 Phone: (5)

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2021-22</u>		<u>FY 2022-23</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>2021-22</u>	<u>2022-23</u>
	<u>21-22</u>	<u>22-23</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.

2021

LB⁽¹⁾ LB636

FISCAL NOTE

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

Prepared by: ⁽³⁾ _____ Date Prepared: ⁽⁴⁾ _____ Phone: ⁽⁵⁾ _____

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	FY 2021-22		FY 2022-23	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS	\$76,089	0.00	\$82,595	0.00
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
TOTAL FUNDS	=====	=====	=====	=====

Explanation of Estimate:

It is anticipated Pretrial Supervision will be requested on a number of individuals released from custody under 636. To accommodate these needs of the court I will need to hire an additional case manager. One case manager can supervise approximately 25-30 individuals. If numbers exceed this limit additional staff may be required.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

POSITION TITLE	NUMBER OF POSITIONS		2021-22	2022-23
	21-22	22-23	EXPENDITURES	EXPENDITURES
Case Manager	1	1-2	\$42,565	\$44,096- \$88,192
Benefits.....			\$18,149	\$24,624- \$49,248
Operating.....			\$15,375	\$13,875- \$27,750
Travel.....				
Capital outlay.....				
Aid.....				
Capital improvements.....				
TOTAL.....			\$76,809	\$82,595- \$165,190

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

2021

LB⁽¹⁾ 636

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾ Lancaster County Public Defender

Prepared by: ⁽³⁾ Joe Nigro Date Prepared: ⁽⁴⁾ 2/23/21 Phone: ⁽⁵⁾ (402)441-7631

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2021-22</u>		<u>FY 2022-23</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	_____	\$1,324,936	_____	\$1,324,936
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
TOTAL FUNDS	<u>_____</u>	<u>\$1,324,936</u>	<u>_____</u>	<u>\$1,324,936</u>

Explanation of Estimate:

Two years ago, Lancaster County Corrections estimated savings of \$662,468 if the jail population was reduced by 100 inmates from a similar bill. This was a conservative estimate based upon a reduction in jail staff. This bill could reduce the jail population in Lancaster County by 200 inmates, doubling the projected savings from the earlier estimate. This is still a conservative estimate, as the jail population could be reduced by 360 inmates if the passage of this bill is as successful as the elimination of money bond has been in the District of Columbia. It costs \$110 a day to house someone in the jail. There will be increased costs to counties to provide pretrial supervision, but the research is clear that this is much less expensive than the costs of incarceration. Lancaster County's Department of Community Corrections addressed these costs in a separate fiscal note. There will be other savings with fewer bond review hearings, fewer trips to jail for attorneys, and the time involved for all of this for court personnel, jail staff, and attorneys. Reducing the number of people incarcerated will provide substantial savings to counties.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2021-22</u>	<u>2022-23</u>
	<u>21-22</u>	<u>22-23</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.

2021

LB⁽¹⁾ 636

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾ City of Lincoln

Prepared by: ⁽³⁾ James Van Bruggen Date Prepared: ⁽⁴⁾ 2/2/21 Phone: ⁽⁵⁾ 402-441-8301

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2021-22</u>		<u>FY 2022-23</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>2021-22</u>	<u>2022-23</u>
	<u>21-22</u>	<u>22-23</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.

2021

LB⁽¹⁾ 636

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾ City of Omaha

Prepared by: ⁽³⁾ Tyler Leimer Date Prepared: ⁽⁴⁾ 1/26/2021 Phone: ⁽⁵⁾ (402) 444-4514

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2021-22</u>		<u>FY 2022-23</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:

The fiscal impact of LB 636 is very hard to determine on a monetary level. The City would see initial costs go down as it pays less for incarceration. This cost could potentially be negated by extra time being spent on City prosecutors and law enforcement working more man hours in the long run.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2021-22</u>	<u>2022-23</u>
	<u>21-22</u>	<u>22-23</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
_____	_____	_____	_____	_____
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	_____	_____	_____	_____