

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	\$2,260,000		\$2,160,000	
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS	\$2,260,000		\$2,160,000	

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

This bill would adopt the Community Work Release and Treatment Centers Act and change provisions relating to the Board of Parole, the Department of Correctional Services, and the Office of Probation Administration.

The Supreme Court estimates a minimal fiscal impact. See their response attached for additional details not included in this fiscal note.

The bill would transfer the Vocational and Life Skills Program (VLS) from the Department of Correctional Services (DCS) to the Board of Parole on July 1, 2022. The Board of Parole estimates a cost of \$100,000 to hire a consultant to assist with this transfer.

DCS shows transferring VLS would reduce their budget by \$4,819,511 in FY23. Although the Board of Parole does not show this amount as an increase in their budget, this fiscal note assumes an increase in the Board of Parole’s budget by a like amount in FY2022-23. It should be noted that DCS is not transferring all the employees in VLS to the Board of Parole. They are retaining 11 Mental Health Practitioner II positions for a total of \$695,321, which includes salary and benefits and a small amount for services and equipment. Should the Board of Parole require these positions, this could be an additional cost.

DCS also shows the aid amount at \$3.75 million. The current budget is \$4 million, although both the Governor and Appropriations Committee have proposed reducing the aid amount to \$3.75 million.

The Board of Parole estimates annual costs of \$2.16 million (\$2.26 million - \$100,000 for the consultant) for 300 people per year residing in community work release and treatment centers for a 3 month stay (300 * \$7,200 = \$2.16 million). The agency notes the cost for services and support provided in each center ranges from \$55-\$100 per day per client.

This fiscal note shows costs in FY2021-22 of \$2,260,000 (\$2.16 million + \$100,000 for the consultant) and \$2.16 million in FY2022-23, as it is assumed that the \$100,000 for the consultant is a one-time cost occurring in FY2021-22.

The agency also estimates the need for one parole officer per 20 clients for each center. The agency plans to absorb this cost at this time assuming that the number of parolees will stay consistent.

Additionally, if substance abuse treatment is needed, this would cost \$7,500 per client for a total of \$10,847. The agency plans to absorb this cost, too.

The boxes at the top reflect only the Board of Parole estimated costs, since transferring VLS from DCS to the Board of Parole is a net zero impact: (4,819,511) + 4,819,511 = 0

At this time, there is no basis to disagree with either the estimate of DCS or the Board of Parole.

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
LB: 334	AM:	AGENCY/POLT. SUB: Nebraska Supreme Court (05)
REVIEWED BY: Joe Wilcox	DATE: 02/08/2021	PHONE: (402) 471-4178
COMMENTS: LB 334 calls for the Board of Parole to develop a comprehensive plan to transition responsibility for post-release supervision from the Judicial Branch and the Office of Probation Administration to the Board of Parole, with an implementation date of July 1, 2024 (beginning of FY 2024-25). The bill calls for the Office of Probation Administration and the State Court Administrator to cooperate with the Parole Board in developing this plan. No disagreement with the Nebraska Supreme Court estimate of No to Minimal Fiscal Impact to the Supreme Court during the current biennium to help develop the plan.		

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
LB: 334	AM:	AGENCY/POLT. SUB: Nebraska Department of Correctional Services (46)
REVIEWED BY: Joe Wilcox	DATE: 02/01/2021	PHONE: (402) 471-4178
COMMENTS: Do not disagree with the Nebraska Department of Correctional Services (NDCS) estimate of potential Fiscal Impact to the Agency from LB 334.		

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
LB: 334	AM:	AGENCY/POLT. SUB: Nebraska Board of Parole (15)
REVIEWED BY: Joe Wilcox	DATE: 01/20/2021	PHONE: (402) 471-4178
COMMENTS: No basis to dispute the Nebraska Board of Parole estimate of potential Fiscal Impact to the Agency from LB 334.		

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

2021

LB⁽¹⁾ 334

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾ Supreme Court

Prepared by: ⁽³⁾ Eric Asboe Date Prepared: ⁽⁴⁾ 2/6/2021 Phone: ⁽⁵⁾ 402-326-9215

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:

LB334 requires the following:

1. The Office of Probation Administration and the State Court Administrator to cooperate with the Board of Parole as the Board develops a plan to transfer the duty of post-release supervision to the Division of Parole Supervision. The plan is to be developed during the current biennium and implemented during the next biennium. Minimal fiscal impact regarding development of the plan. As of this date, no reasonable estimate of the fiscal impact of the plan can be determined. No additional resources required.
2. The Office of Probation Administration submit quarterly reports to legislative committees regarding post-release supervision. Minimal fiscal impact to produce the report. No additional resources required.
3. The Office of Probation Administration assist individuals in obtaining state ID cards or driver's licenses. 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.....	_____	_____	_____	_____

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2021

LB⁽¹⁾ 334

FISCAL NOTE

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

Prepared by: ⁽³⁾ Lisa Stanton Date Prepared: ⁽⁴⁾ 01/19/2021 Phone: ⁽⁵⁾ (402)479-5702

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	_____	_____	<u>\$(4,819,511)</u>	_____
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
TOTAL FUNDS	<u>_____</u>	<u>_____</u>	<u>\$(4,819,511)</u>	<u>_____</u>

Explanation of Estimate:

LB 334 transfers responsibility of the reentry program and the Vocational and Life Skills program from NDCS to the Board of Parole beginning July 1, 2022. The FY2022-23 appropriation for Program 214 is \$5,514,832. The aid amount relates to the grant awards from NDCS and is considered general fund aid.

NDCS will retain the 11 Mental Health Practitioner II positions that are currently funded by Program 214. These positions are embedded in clinical treatment programs and provide treatment options for individuals with mental illness. The estimated cost for 11 Mental Health Practitioner II FTE's is \$695,321. This amount includes \$504,024 for PSL, \$176,407 for benefits, and \$14,890 for other services and equipment and offsets the total amount of the reduction NDCS will see as a result of transferring the reentry and VLS programs to the Board of Parole.

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>
Salaries	_____	<u>9.0</u>	_____	<u>\$(796,235)</u>
Benefits.....	_____	_____	_____	<u>\$(278,684)</u>
Operating.....	_____	_____	_____	<u>\$5,408</u>
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	<u>\$(3,750,000)</u>
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	_____	_____	_____	<u>\$(4,819,511)</u>

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

2021

LB⁽¹⁾ 334

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾ Nebraska Board of Parole

Prepared by: ⁽³⁾ Rosalyn Cotton Date Prepared: ⁽⁴⁾ 1.19.2021 Phone: ⁽⁵⁾ 402-479-5731

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	2,260,000		2,260,000	
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS				

Explanation of Estimate:

Community work release and treatment centers within the community range in cost depending on the services provided and level of supportive environment within each facility. A standard formula that would take into account a high level of structure and services would require \$55.00 to \$100.00 per day per client. A parole officer(s) would maintain an office(s) in each center. For every twenty clients residing at a given center one parole office would be assigned.

The average monthly cost per client would be \$2,400 to reside at the center for up to 90 days (\$7,200 per client for a three month stay). The overall estimate is based on 300 people per year residing in a community work release/treatment center

*The cost of one parole officer+ benefits per twenty clients would be \$78,000 per year. This cost would only be necessary if more clients are paroled. If the number of parolees stay consistent then this work could be absorbed by the current staff. (Not included in estimate).

* If Residential Substance Abuse Treatment is needed an additional \$7,500 per client is needed for a total of \$10,847.41 (Not included in estimate).

For transfer of reentry, vocational life skills, community corrections and post release supervision, the fiscal impact would involve hiring a consultant to assist with the development of plans. It is estimated this cost would be \$100,000.

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.....			2,260,000	2,260,000
Operating.....				
Travel.....				
Capital outlay.....				
Aid.....				
Capital improvements.....				
TOTAL.....			2,260,000	2,260,000