

PREPARED BY: Bill Biven, Jr.  
 DATE PREPARED: January 25, 2022  
 PHONE: 402-471-0054

**LB 878**

Revision: 00

**FISCAL NOTE**  
 LEGISLATIVE FISCAL ANALYST ESTIMATE

| <b>ESTIMATE OF FISCAL IMPACT – STATE AGENCIES</b> (See narrative for political subdivision estimates) |                   |         |                   |         |
|---|-------------------|---------|-------------------|---------|
|   | <b>FY 2022-23</b> |         | <b>FY 2023-24</b> |         |
|   | EXPENDITURES      | REVENUE | EXPENDITURES      | REVENUE |
| GENERAL FUNDS   | See Below         |         | See Below         |         |
| CASH FUNDS  |                   |         |                   |         |
| FEDERAL FUNDS   |                   |         |                   |         |
| OTHER FUNDS   |                   |         |                   |         |
| TOTAL FUNDS   | See Below         |         | See Below         |         |

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

LB878 amends §29-901.03 to provide for automatic review of bail & conditions of release involving a misdemeanor or violation of a city or village ordinance.

**EXPENDITURES:**

The Nebraska Department of Correctional Services (DCS) estimates no fiscal impact to the state. The Supreme Court estimates an increase in judicial workload in some counties, but the extent is undeterminable at this point in time.

The Lancaster County Department of Corrections estimates expenses ranging from \$28,125 to \$112,500 annually to cover the expenses of staff time and transportation to the hearings.

Other cities & counties were unable to respond to the fiscal note request in the allotted timeframe, however it is anticipated that they could have increased expenditures as well.

| <b>ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY &amp; POLT. SUB. RESPONSE</b>  |                  |  |
|---|------------------|--|
| <b>LB: 878</b>  | <b>AM:</b>       | <b>AGENCY/POLT. SUB: Nebraska Department of Correctional Services (46)</b> |
| REVIEWED BY: Joe Wilcox   | DATE: 01/18/2022 | PHONE: (402) 471-4178  |
| COMMENTS: No basis to disagree with the Nebraska Department of Correctional Services (NDCS) estimate of No Fiscal Impact to the Agency from LB 878. |                  |  |

| <b>ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY &amp; POLT. SUB. RESPONSE</b>  |                  |   |
|---|------------------|---|
| <b>LB: 878</b>  | <b>AM:</b>       | <b>AGENCY/POLT. SUB: Lancaster County Department of Corrections</b> |
| REVIEWED BY: Joe Wilcox   | DATE: 01/18/2022 | PHONE: (402) 471-4178   |
| COMMENTS: No basis to disagree with the Lancaster County Department of Corrections estimate of potential Fiscal Impact to the Department from LB 878, although, on a technical note, the Department shows potential costs for FY 2023-24 in the "Revenue" column rather than the "Expenditures" column. |                  |   |

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

**2022**

**LB<sup>(1)</sup> 878**

**FISCAL NOTE**

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

Prepared by: <sup>(3)</sup> Lisa Stanton Date Prepared: <sup>(4)</sup> 01/11/2022 Phone: <sup>(5)</sup> (402)479-5702

**ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION**

|               | <u>FY 2022-23</u>   |                | <u>FY 2023-24</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:

NDCS estimates no fiscal impact as a result of LB878.

**BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE**

**Personal Services:**

| <u>POSITION TITLE</u>     | <u>NUMBER OF POSITIONS</u> |              | <u>2022-23</u>      | <u>2023-24</u>      |
|---------------------------|----------------------------|--------------|---------------------|---------------------|
|                           | <u>22-23</u>               | <u>23-24</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.

**2022**

**LB<sup>(1)</sup> 878**

**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> 1/25/2022 Phone: <sup>(5)</sup> 402-326-9215

**ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION**

|                    | <u>FY 2022-23</u>   |                | <u>FY 2023-24</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:**

LB878 will increase the number of judicial hearings. Based on preliminary data, judicial workload could significantly increase in some counties. This in turn increases the need for additional judicial resources. A revised fiscal note may be submitted after further review of the data.

**BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE**

**Personal Services:**

| <u>POSITION TITLE</u>     | <u>NUMBER OF POSITIONS</u> |              | <u>2022-23</u>      | <u>2023-24</u>      |
|---------------------------|----------------------------|--------------|---------------------|---------------------|
|                           | <u>22-23</u>               | <u>23-24</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.

**2022**

**LB<sup>(1)</sup> 878**

**FISCAL NOTE**

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

Prepared by: <sup>(3)</sup> Lt. Joe Anderson Date Prepared: <sup>(4)</sup> January 10, 2022 Phone: <sup>(5)</sup> (402) 441-1919

**ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION**

|               | <u>FY 2022-23</u>      |                | <u>FY 2023-24</u>   |                        |
|---------------|------------------------|----------------|---------------------|------------------------|
|               | <u>EXPENDITURES</u>    | <u>REVENUE</u> | <u>EXPENDITURES</u> | <u>REVENUE</u>         |
| GENERAL FUNDS | \$28,125-<br>\$112,500 |                |                     | \$28,125-<br>\$112,500 |
| CASH FUNDS    |                        |                |                     |                        |
| FEDERAL FUNDS |                        |                |                     |                        |
| OTHER FUNDS   |                        |                |                     |                        |
| TOTAL FUNDS   | \$28,125-<br>\$112,500 |                |                     | \$28,125-<br>\$112,500 |

Explanation of Estimate:

We believe that we would likely average about five of these hearings a day. If video hearings are permitted, this would require about ½ hour of staff time per hearing (or about 2 ½ hours per day). If transportation to a courtroom is required, we believe this would require approximately 2 hours of staff time (or 10 hours per day).

The calculations above are based on a 250 day per year court calendar.

**BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE**

Personal Services:

| <u>POSITION TITLE</u>     | <u>NUMBER OF POSITIONS</u> |              | <u>2022-23</u>      | <u>2023-24</u>      |
|---------------------------|----------------------------|--------------|---------------------|---------------------|
|                           | <u>22-23</u>               | <u>23-24</u> | <u>EXPENDITURES</u> | <u>EXPENDITURES</u> |
| Benefits.....             |                            |              |                     |                     |
| Operating.....            |                            |              |                     |                     |
| Travel.....               |                            |              |                     |                     |
| Capital outlay.....       |                            |              |                     |                     |
| Aid.....                  |                            |              |                     |                     |
| Capital improvements..... |                            |              |                     |                     |
| TOTAL.....                |                            |              |                     |                     |