

FISCAL NOTE
LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)				
	FY 2023-24		FY 2024-25	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS				
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS	See Below			

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

LB 348 adopts the Community Work Release and Treatment Centers Act. This bill will provide powers and duties for the Board of Parole, the Office of Probation Administration, the office of Inspector General of the Nebraska Correctional System, Public Counsel, the Division of Parole Supervision, and the Department of Correctional Services. LB 348 will change provisions relating to escape from official detention and provide for access to presentence investigation reports and other records, transfer responsibility for certain programs and services from the Department of Correctional Services to the Board of Parole.

The Community Work Release and Treatment Centers Act purpose is to empower the Division of Parole Supervision to contract with private providers to establish community work release and treatment centers at various locations throughout the State of Nebraska.

The Legislature finds that studies have shown that post-prison outcomes tend to be better for inmates who participate in work release programs prior to discharge from custody. Studies also showed that inmates who participated in privately operated work release programs were significantly more likely to become employed after release.

The findings from the studies by the Legislature seeks to give Board of Parole additional options for the placement of offenders besides granting full parole such as increasing the number of offenders in the Nebraska correctional system who are exposed to work release prior to discharge from custody and in settings that also offer therapy, programming, treatment, vocational training, and educational classes.

The Board of Parole can place parole-eligible committed offenders at community work release and treatment centers. An offender can be placed at a treatment center and will be under the continuing jurisdiction and authority of the board of parole. An offender can also be subsequently released by the board of parole on ordinary parole.

Expenditures:

LB 348 transfers responsibility from certain reentry programs and the Vocational and Life Skills Program from the Nebraska Department of Correctional Services (NDCS) to the Board of Parole beginning July 1, 2024. This bill would also transfer any appropriation and salary limit for fiscal year 2023-24 provided in any legislative bill enacted to the NDCS to the Board of Parole.

NDCS cannot determine the fiscal impact of LB 348 for fiscal year 2023-24. The proposed appropriation for fiscal year 2024-25 is \$4,000,000 General Funds and \$4,800,00 Cash funds for state aid. LB 348 would transfer those appropriated funds to the board of parole. NDCS also has a base appropriation of \$1,982,945 General Funds for FY22-23 for Program 214 operations. This would also be transferred to the Board of Parole.

NDCS states that it currently has 20 Behavioral Health Practitioner positions that are currently funded by Program 214. The agency states that they would need to retain 11 out of the 20 positions which would have an estimated cost of \$891,282. If such positions are retained, this results in a net increase of \$891,282 General Funds per year.

The Office of Probation Administration states that it would have a minimal fiscal impact from LB 348.

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
LB: 348	AM:	AGENCY/POLT. SUB: Nebraska Department of Correctional Services (046)
REVIEWED BY: Joe Wilcox	DATE: 02/17/2023	PHONE: (402) 471-4178
COMMENTS: Given the language in LB 348 and the assumptions underlying the fiscal note from the Nebraska Department of Correctional Services (NDCS), No Disagreement with the NDCS estimate of Potential Fiscal Impact to the Agency from LB 348.		

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
LB: 348	AM:	AGENCY/POLT. SUB: Nebraska Board of Parole (015)
REVIEWED BY: Joe Wilcox	DATE: 01/26/2023	PHONE: (402) 471-4178
COMMENTS: No Basis to Disagree with the Nebraska Board of Parole estimate of No Fiscal Impact to the Agency from LB 348.		

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
LB: 348	AM:	AGENCY/POLT. SUB: Nebraska Supreme Court (005)
REVIEWED BY: Joe Wilcox	DATE: 02/27/2023	PHONE: (402) 471-4178
COMMENTS: No disagreement with the Nebraska Supreme Court estimate of Indeterminate, but potentially Minimal Fiscal Impact to Agency from LB 348.		

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

2023

LB⁽¹⁾ 348

FISCAL NOTE

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

Prepared by: ⁽³⁾ Lisa Stanton Date Prepared: ⁽⁴⁾ 02/15/2023 Phone: ⁽⁵⁾ (402)479-5702

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2023-24</u>		<u>FY 2024-25</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	_____	_____	\$(1,226,011)	_____
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	\$(8,800,000)	_____
TOTAL FUNDS	<u>SEE BELOW</u>	_____	<u>\$(10,026,011)</u>	_____

Explanation of Estimate:

LB 348 adopts the Community Work Release and Treatment Centers Act and transfers responsibility for certain reentry programs and the Vocational and Life Skills Program from the Department of Correctional Services to the Board of Parole beginning July 1, 2024. LB 348 also provides that any appropriation and salary limit for fiscal year 2023-24 provided in any legislative bill enacted by the One Hundred Eighth Legislature to the NDCS shall be null and void and such amounts appropriated to the Board of Parole.

NDCS is unable to determine the fiscal impact of LB 348 for FY2023-24. The proposed appropriation for Program 214 for FY2023-24 is \$10,851,381. Included in that amount is \$4,000,000 General Funds and \$4,800,000 Cash funds for state aid. Without that appropriation for FY2024 (as indicated in language in the bill), NDCS will not be able to continue reentry and VLS programs through June 30, 2024, as required by the bill.

NDCS will retain the 11 Behavioral Health Practitioner 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 these 11 Behavioral Health Practitioner FTE's is \$891,282. This amount includes \$645,934 for PSL, \$226,076 for benefits, and \$19,272 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 in FY2024-25.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2023-24</u>	<u>2024-25</u>
	<u>23-24</u>	<u>24-25</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
Salaries	_____	9.0	_____	\$(955,000)
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Benefits.....	_____	_____	_____	\$(254,203)
Operating.....	_____	_____	_____	\$(16,808)
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	\$(8,800,000)
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	_____	_____	_____	<u>\$(10,026,011)</u>

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2023

LB⁽¹⁾ 348

FISCAL NOTE

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

Prepared by: ⁽³⁾ Rosalyn Cotton Date Prepared: ⁽⁴⁾ January 17, 2023 Phone: ⁽⁵⁾ 402 479-5731

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2023-24</u>		<u>FY 2024-25</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:

LB 348- No Fiscal Impact

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2023-24</u>	<u>2024-25</u>
	<u>23-24</u>	<u>24-25</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	_____	_____	_____	_____

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2023

LB⁽¹⁾ 348

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾ 05 Supreme Court

Prepared by: ⁽³⁾ Eric Asboe Date Prepared: ⁽⁴⁾ 2/25/2023 Phone: ⁽⁵⁾ 402-326-9215

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2023-24</u>		<u>FY 2024-25</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:

Three sections of LB348 impact the Office of Probation Administration:

1. Section 15. Submission of a report to legislative committees on post-release supervision. Minimal fiscal impact.
2. Section 26. Probation may assist persons in obtaining a drivers license or state ID card. Minimal fiscal impact.
3. Section 31. Development of a plan to transfer post-release supervision duties to the Board of Parole. The plan is to be implemented in FY26-27. Minimal fiscal impact to develop the plan. It is estimated that General Fund expenditures would significantly decrease upon transfer. A comprehensive estimate of the fiscal impact cannot be determined at this time and will be dependent on the final plan's recommendations. It is assumed that budget adjustments would be made in the 2026 legislative session.

Note. This fiscal note may be amended at a later date.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2023-24</u>	<u>2024-25</u>
	<u>23-24</u>	<u>24-25</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	_____	_____	_____	_____