

FISCAL NOTE
 LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)				
	FY 2024-25		FY 2025-26	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS			See Below	
CASH FUNDS			See Below	
FEDERAL FUNDS			See Below	
OTHER FUNDS			See Below	
TOTAL FUNDS			See Below	

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

LB 994 proposes significant changes to the management and governance of Nebraska’s Department of Correctional Services (NDCS). The Nebraska Legislature should assume general management, control, and governance of the Department, starting July 1, 2025. Additionally, the appointment of the Director of Correctional Services will be the responsibility of the Legislature. To ensure consistency with this act, the Judiciary Committee of the Legislature will be tasked with preparing amendments to align existing state laws accordingly.

Expenditures:

The Nebraska Department of Correctional Services (NDCS) indicates that the shift from the Executive to the Legislative Branch, as proposed, might lead to changes in the salary levels of protective services personnel and other staff. Additionally, further operational changes that the Legislature could implement within the NDCS may result in variations in the agency’s revenue and expenditures. However, the precise fiscal impact of this bill remains indeterminable.

LB994 proposes legislative control and administration over all correctional institutions and the Department of Correctional Services, including the appointment and confirmation of the Director. Expenditure projections for 2025-2026 are uncertain due to the transfer of budget authority from NDCS to the Legislature.

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
LB: 994	AM:	AGENCY/POLT. SUB: Nebraska Department of Correctional Services (046)
REVIEWED BY: Joe Wilcox	DATE: 01/23/2024	PHONE: (402) 471-4178
COMMENTS: Do not disagree with the Nebraska Department of Correctional Services (NDCS) estimate of potential, but Indeterminate Fiscal Impact to the Agency from LB 994.		

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
LB: 994	AM:	AGENCY/POLT. SUB: Nebraska Legislative Council (003)
REVIEWED BY: Joe Wilcox	DATE: 02/16/2024	PHONE: (402) 471-4178
COMMENTS: Do not disagree with the Nebraska Legislative Council estimate of potential Fiscal Impact to the Agency from LB 994, although their figures may need to be adjusted based on any 2024 Deficit bill (LB 1412) changes to the Department of Corrections budget appropriations.		

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

2024

LB⁽¹⁾ 994

FISCAL NOTE

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

Prepared by: ⁽³⁾ Lisa Stanton Date Prepared: ⁽⁴⁾ 01/11/2024 Phone: ⁽⁵⁾ (402)479-5702

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2024-25</u>		<u>FY 2025-26</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 994 provides that the legislature shall have general management, control, and government of the Department of Correctional Services beginning July 1, 2025.

The shift from operating under the Executive Branch to the Legislative Branch could change salary levels of protective services and other staff of the agency. Other changes the legislature might implement in operations of the NDCS could also increase or reduce revenue and expenditures of the agency.

The specific amount of fiscal impact of LB 994 is indeterminable.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2024-25 EXPENDITURES</u>	<u>2025-26 EXPENDITURES</u>
	<u>24-25</u>	<u>25-26</u>		
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	_____	_____	_____	_____

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2024

LB⁽¹⁾ 994

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾ LEGISLATURE – AGENCY 03

Prepared by: ⁽³⁾ Shelley Reed Date Prepared: ⁽⁴⁾ 02/16/2024 Phone: ⁽⁵⁾ 402-471-2226

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2024-25</u>		<u>FY 2025-26</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS			346,945,353	
CASH FUNDS			6,930,252	
FEDERAL FUNDS			1,796,659	
OTHER FUNDS			22,773,462	
TOTAL FUNDS			378,445,726	

Explanation of Estimate:

LB994 would provide for the Legislature to control and administer all correctional institutions and the Department of Correctional Services. The Legislature would be responsible for appointing and confirming the Director of Department Services.

Expenditure estimates are based on 2024-2025 budget numbers taken from the DAS-Budget website, which DCS submitted. These funds would need to be transferred under Legislature’s authority. Without full operating knowledge of DCS, projecting the 2025-2026 expenditures would be inconclusive.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2024-25</u>	<u>2025-26</u>
	<u>24-25</u>	<u>25-26</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
PSL				207,451,386
Benefits.....				49,519,510
Operating.....				106,857,242
Travel.....				921,137
Capital outlay.....				4,896,451
Aid.....				8,800,000
Capital improvements.....				
TOTAL.....				378,445,726