

PREPARED BY: Doug Nichols  
 DATE PREPARED: January 20, 2009  
 PHONE: 471-0052

**LB 76**

Revision: 00

**FISCAL NOTE**  
 LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES *				
	FY 2009-10		FY 2010-11	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS				
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS				

\*Does not include any impact on political subdivisions. See narrative for political subdivision estimates.

This bill would authorize the aggregation of amounts under forgery in the second degree and criminal possession of a forged instrument.

The Department of Correctional Services states the following: DCS admitted 108 individuals in FY2007 and 86 in FY2008; and 34 so far (½ yr) in FY2009 whose primary offense was forgery in the 2nd degree. Approximately 72% of those admitted were for Class 4 felonies. The range of sentences on each count is between 0 to 1 and 0 to 5 years, with a common term of 1-2 years. So far in FY2009, 15 of the individuals admitted were convicted on multiple counts of forgery. Some are serving sentences concurrently and some serving sentences consecutively, in addition to having been sentenced at the same time for other offenses. It is likely that more 2nd degree forgery misdemeanor cases will be aggregated into felony cases and that more Class 4 felony cases will be aggregated into Class 3 felonies. As a result, potentially more inmates will be admitted to DCS and sentences may be slightly longer. The FY08 per diem (cost per day of feeding, clothing, housing, medical, etc) for an individual inmate was \$5,509/yr.