FISCAL NOTE

Revised on January 22, 2009, to reflect a revised agency response.

LEGISLATIVE FISCAL ANALYST ESTIMATE

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

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

This bill would remove a requirement of consent and waiver of physical appearance relating to audiovisual court appearances, and it would outright repeal section 29-4203.

The Department of Correctional Services (DCS) states that there could be significant savings by not having an inmate make a physical appearance at a court hearing.

DCS estimates that court travel orders for criminal cases average 150 to 225 per year at its facilities in Lincoln, Omaha, and Tecumseh.

Currently, only the Tecumseh State Correctional Institution (TSCI) has audiovisual capability, and it was set up in April/May 2007. Approximately one-half of the inmates do not waive their right to appear in person for court appearances.

The one-time set up costs at TSCI was $10,000, with ongoing charges of $2,160 per year for the dedicated line. DCS notes that there are new technologies becoming available that could reduce future costs for setting up the audiovisual system.

Travel orders are estimated to cost $135 to $245 each (staff and mileage). DCS estimates that if all the criminal travel orders went to audiovisual court appearances, they could save $20,250 to $55,125 per year. The Legislative Fiscal Office analyst (LFO) understands that this estimated savings is before the additional expenditures required to install the audiovisual system at the various DCS facilities.

DEPARTMENT OF ADMINISTRATIVE SERVICES

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COMMENTS

WORKERS' COMP COURT – Concur with agency analysis.