

Updated to reflect amendments adopted through March 31, 2010.

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, as amended, would prohibit possession of animal fighting paraphernalia. It states that animal fighting paraphernalia does not include anything used by a licensed veterinarian. The penalty for violating this amended bill is a Class I misdemeanor.

The provisions of this amended bill could impact state and local criminal justice resources (courts, law enforcement, prosecutors, public defenders, probation, jails, prisons, etc.). It is unknown how many individuals would violate the provisions of this bill, and therefore, it will have an indeterminate impact on criminal justice expenditures. Additionally, any fines assessed pursuant to convictions will accrue to the county where the violation occurs to be used for the support of public schools.

The Department of Correctional Services (DCS) states the fiscal impact is indeterminate, but it will probably be minimal.

The DCS response follows:

LB252, as amended, creates a new offense that prohibits the possession of animal fighting paraphernalia with the intent to commit a violation of RRS 28-1005. The new offense is a Class 1 misdemeanor.

DCS had two (2) misdemeanor admissions in CY08, and one (1) misdemeanor admission in CY09, and no admissions year to date for the related offense of cruelty to animals.

While the bill may result in more convictions as Class I misdemeanors, (0-1 year), it is unknown how many convictions would have sentences of one year resulting in incarceration in the Department of Correctional Services.

The fiscal impact is not determinable, but is anticipated to be minimal.

DCS current inmate population is 4,479 (2/16/2010).

The FY09 per diem (cost per day of feeding, clothing, housing, medical, etc) for an individual inmate was \$5,580/yr.