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LB 518

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 change provisions relating to homicide and other criminal offenses and penalties. It outright repeals Neb.Rev.Stat. section 29-1512 which section relates to manslaughter.

The Department of Correctional Services (DCS) states that the major impact of the bill is to change the maximum penalty for a Class IB felony from life imprisonment to 100 years, and the breakout of homicide offenses into additional categories. DCS does not anticipate that these provisions will add to the prison population, but could affect the penalties imposed.

DCS has 183 individuals incarcerated for Class IB felonies. Their maximum sentences are as follows:

- 72 = Life Imprisonment
- 1 = 100 years
- 6 = 70 to 80 years
- 104 = 60 years or less

DCS notes that the fiscal impact is not determinable. It is unknown how changing the maximum might impact the minimum sentence, and the minimum sentence is normally a better indicator of the length of time an individual is incarcerated. Of the 72 inmates with life sentences, only 8 have served more than 20 years so far, with the longest having served 31 years.

DCS current total inmate population is 4424 (3/10/2009). The FY08 per diem (cost per day of feeding, clothing, housing, medical, etc) for an individual inmate was \$5,509/yr.

DEPARTMENT OF ADMINISTRATIVE SERVICES

REVIEWED BY	Joe wilco9x	DATE	2/04/09
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COMMENTS			
DEPT. OF CORRECTIONS – Concur with agency analysis.			