

Updated for the 2010 Session. Includes any amendments adopted to-date.

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 penalties related to the duty to stop at a motor vehicle accident. The bill makes it a Class IIIA felony (0-5 years) if the accident resulted in an injury and a Class III felony (1-20 years) if the accident resulted in serious bodily injury or death.

The provisions of this bill could impact state and local criminal justice resources (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.

The Department of Correctional Services (DCS) states that changing the minimum to 1 year would increase the possible minimum time served by 6 months per inmate. It is unknown how the maximums would change. The DCS fiscal note response follows:

LB506 changes the penalty to the driver of a vehicle involved in an injury accident for failure to stop and render aid from a Class IIIA felony (0-5 years) to a Class III felony (1-20 years) when the accident results in death or serious bodily injury. It remains a Class IIIA felony when the injury is not serious.

There were nine admissions in CY08, and eleven admissions in CY09, for this IIIA felony offense. It is not known how many of these convictions were in cases of failure to stop where serious bodily injury occurred. Of these admissions, one had 0-1 yr sentences. Four admissions had minimums and maximums of 1 year each, and seven admissions (35%) had the maximum of 5 years. Changing the minimum to 1 year would increase the possible minimum time served by 6 months per inmate. It is unknown how the maximums would change.

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.