

PREPARED BY: Doug Nichols
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PHONE: 471-0052

LB 675

Revision: 02

Updated to reflect amendments adopted through May 10, 2011.

FISCAL NOTE

LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES *				
	FY 2011-12		FY 2012-13	
	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 provide and change penalties and enforcement relating to driving under the influence and the duty to stop at motor vehicle accidents and create an offense relating to certain controlled substances.

The Department of Correctional Services estimates no fiscal impact from the provisions of this bill and their response follows:

AM1380 to LB 675 changes the five-year mandatory minimum to a two-year minimum.

Currently the minimum sentence for a Class III felony is one year imprisonment, and the maximum is 20 years imprisonment. There are an average of 49 inmates admitted each year (47 in 2008; 56 in 2009; 44 in 2010) to the Nebraska Department of Correctional Services (NDCS) for Class III DUI felonies. The average minimum sentence is 2.59 years and the average maximum sentence is 4.5 years. The actual time served (assuming no loss of good time) is 1.3 years minimum and 2.25 yrs maximum.

As a result of the amendment eliminating a mandatory 5 year minimum and replacing it with a 2 year minimum, there is no fiscal impact.

The Legislative Fiscal Office analyst (LFO) has been in contact with the Supreme Court and the Court does not anticipate any fiscal impact from this bill, as amended.