

FISCAL NOTE
 LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES *				
	FY 2012-13		FY 2013-14	
	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 for child abuse.

The bill changes the Class I misdemeanor definition of child abuse by adding the offense “does not result in serious bodily injury as defined in section 28-109 or death”. The Class IIIA felony definition of child abuse adds “death”.

The bill also adds the following two definitions:

Child abuse is

- a Class III felony if the offense is committed negligently and results in serious bodily injury as defined in section 28-109; and
- a Class II felony if the offense is committed negligently and results in the death of such child.

The Department of Correctional Services (DCS) states that this bill will have an indeterminable fiscal impact, and their response follows:

Fiscal Impact – Indeterminable.

The impact on NDCS related to future admissions is not determinable. NDCS currently has inmates serving time for Child Abuse: Class I Misdemeanor – 19 inmates; Class IIIA Felony – 71; Class III Felony – 13; Class II Felony – 6; Class IB Felony – 29.

The FY 11 per diem (cost per day of feeding, clothing, housing, medical, etc.) for an individual inmate was \$5,799 per year.

DEPARTMENT OF ADMINISTRATIVE SERVICES

REVIEWED BY	Joe Wilcox	DATE	1/13/12	PHONE	471-2526
COMMENTS					
DEPARTMENT OF CORRECTIONAL SERVICES: No basis to dispute agency analysis for DCS.					