

**FISCAL NOTE**  
**LEGISLATIVE FISCAL ANALYST ESTIMATE**

<b>ESTIMATE OF FISCAL IMPACT – STATE AGENCIES</b> (See narrative for political subdivision estimates)				
	<b>FY 2017-18</b>		<b>FY 2018-19</b>	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS	113,506		113,506	
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
<b>TOTAL FUNDS</b>	<b>113,506</b>		<b>113,506</b>	

**Any Fiscal Notes received from state agencies and political subdivisions are attached following the Legislative Fiscal Analyst Estimate.**

This bill would change provisions relating to the payment of fees and costs associated with grand juries and the deaths of incarcerated persons.

The Department of Correctional Services (NDCS) estimates annual costs of \$113,506 as follows:

	FY2017-18	FY2018-19	FY2017-18	FY2018-19
ITEMS	Number of Positions		Expenditures	
Accounting Clerk II	1.00	1.00	34,636	34,636
Benefits			11,430	11,430
Operating costs (see below)			67,440	67,440
<b>TOTAL</b>	<b>1.00</b>	<b>1.00</b>	<b>113,506</b>	<b>113,506</b>

NDCS estimates a cost of \$4,496 for the death of each inmate for items such as juror pay for coroner and grand jury, witness pay – grand jury, and autopsy. NDCS states an average of 15 inmate deaths per year resulting in an annual cost of \$67,440 (operating costs in above table).

NDCS states that if the initial payment is made by the county and NDCS reimburses the county, then they would not need any additional staff to process these payments. This would presumably reduce the cost to \$67,440. See their response for additional details.

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**2017**

**LB<sup>(1)</sup> 47**

**FISCAL NOTE**

State Agency OR Political Subdivision Name: (2) Nebraska Department of Correctional Services

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**ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION**

	<u>FY 2017-18</u>		<u>FY 2018-19</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	\$113,506	0	\$113,506	0
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
<b>TOTAL FUNDS</b>	<u>\$113,506</u>	<u>0</u>	<u>\$113,506</u>	<u>0</u>

**Explanation of Estimate:**

LB 47 shifts the cost of the following services from the counties to the State of Nebraska (NDCS) when an inmate dies while serving a sentence in a state correctional institution:

- Juror pay when summoned to appear before the coroner (23-1801);
- Cost of examination, test, or autopsy by coroner or coroner's physician (23-1822);
- Juror pay for service in a grand jury (33-138); and
- Witness pay for service before a grand jury (33-139)

For each death of an inmate in NDCS custody, the following costs are estimated:

Juror pay – coroner	\$132
Autopsy	\$2,200
Juror pay – grand jury	\$2,054
Witness pay – grand jury	\$110
<b>Total</b>	<b>\$4,496</b>

With an average of 15 inmate deaths a year (CY2010-2014), the annual cost to NDCS would be \$67,440. As drafted, one additional Accounting Clerk II would be needed to handle the record keeping and increase in payments to the individual witnesses/jurors.

If the initial payment is made by the county, in part to keep juror and witness information confidential, and the State reimburses the county upon request. No additional staff would be needed to process these additional payments.

**BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE**

**Personal Services:**

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2017-18</u>	<u>2018-19</u>
	<u>17-18</u>	<u>18-19</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
Accounting Clerk II	1	1	\$34,636	\$34,636
Benefits.....			\$11,430	\$11,430
Operating.....			\$67,440	\$67,440
Travel.....				
Capital outlay.....				
Aid.....				
Capital improvements.....				
<b>TOTAL.....</b>			<b>\$113,506</b>	<b>\$113,506</b>