

PREPARED BY: Doug Nichols  
 DATE PREPARED: February 18, 2020  
 PHONE: 402-471-0052

**LB 1081**

Revision: 00

**FISCAL NOTE**  
 LEGISLATIVE FISCAL ANALYST ESTIMATE

<b>ESTIMATE OF FISCAL IMPACT – STATE AGENCIES</b> (See narrative for political subdivision estimates)				
	<b>FY 2020-21</b>		<b>FY 2021-22</b>	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS	92,331		93,973	
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
<b>TOTAL FUNDS</b>	<b>92,331</b>		<b>93,973</b>	

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

This bill would change provisions on postconviction relief. It adds another provision regarding when the one-year limitation period shall run from for postconviction relief. It also allows the withdrawal of a previously entered plea as provided by the bill.

The Attorney General estimates needing an additional attorney at a cost noted in the boxes above because this bill could lead to substantially more new appeals. At this time, there is no basis to disagree.

The Department of Correctional Services estimates no fiscal impact from this bill.

Sarpy County estimates no fiscal impact from this bill.

<b>ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY &amp; POLT. SUB. RESPONSE</b>			
<b>LB: 1081</b>	<b>AM:</b>	AGENCY/POLT. SUB: <b>Nebraska Attorney General (011)</b>	
REVIEWED BY: Joe Wilcox	DATE: 01/27/2020	PHONE: (402) 471-4178	
COMMENTS: No basis to dispute the Nebraska Attorney General estimate of potential Fiscal Impact to the Agency from LB 1081.			

<b>ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY &amp; POLT. SUB. RESPONSE</b>			
<b>LB: 1081</b>	<b>AM:</b>	AGENCY/POLT. SUB: <b>Nebraska Department of Correctional Services (046)</b>	
REVIEWED BY: Joe Wilcox	DATE: 1/24/2020	PHONE: (402) 471-4178	
COMMENTS: No basis to dispute the Nebraska Department of Correctional Services (NDCS) estimate of No Fiscal impact to the Agency from LB 1081.			

<b>ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY &amp; POLT. SUB. RESPONSE</b>			
<b>LB: 1081</b>	<b>AM:</b>	AGENCY/POLT. SUB: <b>Sarpy County</b>	
REVIEWED BY: Joe Wilcox	DATE: 1/23/2020	PHONE: (402) 471-4178	
COMMENTS: No basis to dispute the Sarpy County estimate of No Fiscal Impact to the County from LB 1081.			

Please complete ALL (5) blanks in the first three lines.

**2020**

**LB<sup>(1)</sup> 1081 AMENDED**

**FISCAL NOTE**

State Agency OR Political Subdivision Name: <sup>(2)</sup> Attorney General

Prepared by: <sup>(3)</sup> Corey O'Brien Date Prepared: <sup>(4)</sup> 1-24-20 Phone: <sup>(5)</sup> 402-471-2687

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

	<u>FY 2020-21</u>		<u>FY 2021-22</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	<u>92,331.</u>	<u>                    </u>	<u>93,973.</u>	<u>                    </u>
CASH FUNDS	<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>                    </u>
FEDERAL FUNDS	<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>                    </u>
OTHER FUNDS	<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>                    </u>
<b>TOTAL FUNDS</b>	<b><u>92,331.</u></b>	<b><u>                    </u></b>	<b><u>93,973.</u></b>	<b><u>                    </u></b>

**Explanation of Estimate:**

LB 1081 would likely lead to a substantial number of new appeals necessitating another attorney in the Criminal Appellate Section of the Nebraska Department of Justice.

**BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE**

**Personal Services:**

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2020-21</u>	<u>2021-22</u>
	<u>20-21</u>	<u>21-22</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
Assistant Attorney General	<u>1.0</u>	<u>1.0</u>	<u>62,000.</u>	<u>63,426.</u>
			<u>30,331.</u>	<u>30,547.</u>
Benefits.....			<u>                    </u>	<u>                    </u>
Operating.....			<u>                    </u>	<u>                    </u>
Travel.....			<u>                    </u>	<u>                    </u>
Capital outlay.....			<u>                    </u>	<u>                    </u>
Aid.....			<u>                    </u>	<u>                    </u>
Capital improvements.....			<u>                    </u>	<u>                    </u>
<b>TOTAL.....</b>			<b><u>92,331.</u></b>	<b><u>93,973.</u></b>

Please complete ALL (5) blanks in the first three lines.

**2020**

**LB<sup>(1)</sup> 1081**

**FISCAL NOTE**

State Agency OR Political Subdivision Name: <sup>(2)</sup> Nebraska Department of Correctional Services

Prepared by: <sup>(3)</sup> Lisa Stanton Date Prepared: <sup>(4)</sup> 01/23/2020 Phone: <sup>(5)</sup> (402)479-5702

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

	<u>FY 2020-21</u>		<u>FY 2021-22</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	_____	_____	_____	_____
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
<b>TOTAL FUNDS</b>	<b>=====</b>	<b>=====</b>	<b>=====</b>	<b>=====</b>

Explanation of Estimate:

NDCS estimates no fiscal impact as a result of LB 1081.

**BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE**

**Personal Services:**

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2020-21</u>	<u>2021-22</u>
	<u>20-21</u>	<u>21-22</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
<b>TOTAL.....</b>	<b>_____</b>	<b>_____</b>	<b>_____</b>	<b>_____</b>

Please complete ALL (5) blanks in the first three lines.

2020

LB<sup>(1)</sup> 1081

FISCAL NOTE

State Agency OR Political Subdivision Name: <sup>(2)</sup> Sarpy County

Prepared by: <sup>(3)</sup> William E. Conley Date Prepared: <sup>(4)</sup> 1/22/2020 Phone: <sup>(5)</sup> 402-593-5958

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	FY 2020-21		FY 2021-22	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS	_____	_____	_____	_____
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
TOTAL FUNDS	=====	=====	=====	=====

Explanation of Estimate:

**NO FISCAL IMPACT.**

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

POSITION TITLE	NUMBER OF POSITIONS		2020-21	2021-22
	20-21	21-22	EXPENDITURES	EXPENDITURES
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	_____	_____	_____	_____