

Update with AM 556

FISCAL NOTE

LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)

	FY 2025-26		FY 2026-27	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS	See Below		See Below	
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS	See Below		See Below	

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

LB215 adopts the Clean Slate Act, which allows individuals with certain nonviolent convictions to have their records sealed after completing a period of rehabilitation without reoffending and removes barriers to employment, housing, and education for rehabilitated individuals while providing an incentive to stay crime-free. The act also aims to reduce recidivism, ultimately saving the state money, while ensuring law enforcement and other necessary agencies retain access to criminal history when needed.

Additionally, the bill establishes the Second Chance Relief Program for Long-Term Inmates, creating a structured process for parole review, mentorship, and reintegration programs. This program allows eligible long-term and life-sentenced inmates to seek sentence commutations if they demonstrate rehabilitation, balancing second-chance opportunities with public safety considerations.

Several Nebraska state agencies play key roles in implementing and overseeing these provisions. The Department of Correctional Services identifies eligible individuals, provides rehabilitation programs, and coordinates reentry plans. The Board of Parole evaluates rehabilitation progress, recommends second-chance relief, and oversees parole supervision. The Division of Parole Supervision develops post-release plans and ensures parolees remain accountable. The Board of Pardons reviews commutation requests and establishes reconsideration criteria. The Supreme Court manages the record-sealing process, and issues clean slate orders and reviews petitions. Finally, the Nebraska Commission on Law Enforcement and Criminal Justice processes record-sealing notifications and oversees implementation.

AM 556 replaces the original provisions of LB 215 and narrows the bill's scope by removing the Clean Slate Act and retaining only the provisions related to commutation for long-term incarcerated individuals.

Under AM 556, the bill establishes a second chance relief program that allows eligible individuals serving long-term or life sentences to be considered for a commutation of their sentence by the Board of Pardons. Eligibility is based on the individual's age at the time of the offense and the number of years served—25 years if the offense was committed under the age of 26, and 30 years if committed at age 26 or older. The Department of Correctional Services, the Division of Parole Supervision, and the Board of Parole are directed to identify eligible candidates, assist with rehabilitation planning, and determine whether the individual is a good candidate for commutation. If recommended, the Board of Pardons may consider granting a commutation to parole, and the Board of Parole is required to develop a reentry plan with support services for those released.

The Nebraska Department of Correctional Services estimates that 146 incarcerated individuals currently meet the eligibility criteria for second chance relief under Section 1 of AM 556. The FY24 per diem cost for each incarcerated individual was \$35.45, totaling \$12,937.94 per year per person.

The Board of Parole states that the bill would add duties related to assessments and reentry planning for individuals eligible for commutation. The Board anticipates needing a Research Coordinator, a Reentry Specialist, a Social Worker, and three administrative staff to assist with developing detailed reentry plans, including job placement, housing, education, and mental health services. The Board also notes that additional operating expenses, including the potential need for expanded office space, cannot be projected at this time.

Based on review, the Board of Parole's request for six additional staff positions and associated costs appears overstated relative to the scope of AM 556. The amendment focuses only on the second chance commutation program for long-term incarcerated individuals, a population that the Department of Correctional Services has identified as approximately 146 individuals statewide. While some additional staffing may be reasonable to help manage risk assessments, reentry planning, and supervision coordination, the scale of the request—especially compared to the Board's original estimate of one additional staff member under LB 215 when broader Clean Slate Act duties were included—does not appear proportionate to the workload anticipated under AM 556. A staffing increase of one to two FTEs may be sufficient to carry out the provisions of the bill given the identified eligible population.

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE			
LB: 215	AM: 556	AGENCY/POLT. SUB: Crime Commission	
REVIEWED BY:	Jacob Leaver	DATE: 4/29/25	PHONE: (402) 471-4173
COMMENTS: Concur with the Crime Commission's estimate of no fiscal impact as a result of LB 215 AM 556.			

State Agency OR Political Subdivision Name: ⁽²⁾ Nebraska Board of Parole

Prepared by: ⁽³⁾ Rosalyn Cotton,
Chairperson

Date Prepared: ⁽⁴⁾ April 29, 2025

Phone: ⁽⁵⁾ 402 479-5731

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	FY 2025-26		FY 2026-27	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS				
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS				

Explanation of Estimate:

LB 215 AM 556

This bill adds duties to the Board of Parole regarding assessments and other programs for commutation and subsequent parole programs. This increased workload will require a Research Coordinator, Reentry Specialist, a Social Worker, three additional administrative staff to assist with the detailed reentry plans, including job placement, housing support, continuing education and mental health services to meet the demands of individuals assessed for commutation, however, the additional costs are not able to be projected at this time.

Projected operating expenses of the Board, including more office space, are not able to be projected at this time.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

POSITION TITLE	NUMBER OF POSITIONS		2025-26	2026-27
	25-26	26-27	EXPENDITURES	EXPENDITURES
Benefits.....				
Operating.....				
Travel.....				
Capital outlay.....				
Aid.....				
Capital improvements.....				
TOTAL.....				

State Agency OR Political Subdivision Name: ⁽²⁾ Crime Commission

Prepared by: ⁽³⁾ Bryan Tuma

Date Prepared: ⁽⁴⁾ April 28, 2025

Phone: ⁽⁵⁾ 531-893-0405

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	FY 2025-26		FY 2026-27	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS				
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS				

Explanation of Estimate:

AM 556 will have no fiscal impact for the Crime Commission and removes any fiscal impact concerns identified in the original version of LB 215.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE				
Personal Services:				
POSITION TITLE	NUMBER OF POSITIONS		2025-26	2026-27
	25-26	26-27	EXPENDITURES	EXPENDITURES
Benefits.....				
Operating.....				
Travel.....				
Capital outlay.....				
Aid.....				
Capital improvements.....				
TOTAL.....				

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

Prepared by: ⁽³⁾ Lisa Stanton

Date Prepared: ⁽⁴⁾ 04/28/2025

Phone: ⁽⁵⁾ (402)479-5702

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	FY 2025-26		FY 2026-27	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS				
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS				

Explanation of Estimate:

LB215 as amended by AM556 provides for a second chance relief program to obtain a commutation from the Board of Pardons. The bill could reduce the number of persons in prison. The specific amount of impact is indeterminable.

The Nebraska Department of Correctional Services estimates there are currently 146 incarcerated individuals that meet the eligibility criteria for second chance relief as outlined in section 1 of the bill.

The FY24 per diem cost was \$35.45 for each incarcerated individual, or \$12,937.94 per year.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

POSITION TITLE	NUMBER OF POSITIONS		2025-26	2026-27
	25-26	26-27	EXPENDITURES	EXPENDITURES
Benefits.....				
Operating.....				
Travel.....				
Capital outlay.....				
Aid.....				
Capital improvements.....				
TOTAL.....				

State Agency OR Political Subdivision Name: ⁽²⁾ 05 Supreme Court

Prepared by: ⁽³⁾ Eric Asboe

Date Prepared: ⁽⁴⁾ 4/28/2025

Phone: ⁽⁵⁾ 402-326-9215

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	FY 2025-26		FY 2026-27	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS				
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS				

Explanation of Estimate:

LB215, as amended by AM556, has no fiscal impact.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:				
POSITION TITLE	NUMBER OF POSITIONS		2025-26	2026-27
	25-26	26-27	EXPENDITURES	EXPENDITURES
Benefits.....				
Operating.....				
Travel.....				
Capital outlay.....				
Aid.....				
Capital improvements.....				
TOTAL.....				