Doug Nichols January 16, 2013 402-471-0052

## LB 115

## Revision: 00 FISCAL NOTE LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)						
	FY 2013-14		FY 2014-15			
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE		
GENERAL FUNDS						
CASH FUNDS						
FEDERAL FUNDS						
OTHER FUNDS						
TOTAL FUNDS						

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 homicide. It creates and defines the offense of voluntary manslaughter, which would be a Class II felony (Maximum — fifty years imprisonment; Minimum — one year imprisonment). The bill also creates and defines the offense of involuntary manslaughter, which would be a Class III felony (Maximum — twenty years imprisonment, or twenty-five thousand dollars fine, or both; Minimum — one year imprisonment). The bill repeals the current definition of manslaughter.

The provisions of this bill could impact state and local criminal justice resources (courts, law enforcement, prosecutors, public defenders, probation, prisons, and jails). It is unknown how many individuals would violate the provisions of this bill, and therefore, it will have an indeterminate impact on criminal justice expenditures. Additionally, any fines assessed pursuant to convictions will accrue to the county where the violation occurs to be used for the support of public schools.

The Nebraska Department of Correctional Services (NDCS) states that this bill will have an indeterminate fiscal impact. NDCS also states that this bill's impact on future admissions is not determinable.

The FY12 per diem for an individual inmate was \$6,454 per year. This is the cost for food, medical care, inmate wages, clothing, cleaning supplies, food service supplies, cell and dorm supplies, other supplies, and transportation.

As of December 31, 2012, the inmate population was 143.81% of design capacity.

ADMINISTRATIVE SERVICES-STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSES						
LB: LB 115 AM: AGENCY/POLT. SUB: Department of Correctional Services (04						
REVIEWED BY: Joe	Wilcox	DATE: January 16 <sup>th</sup> , 2013 PHONE: (402) 471-4178				
COMMENTS: No basis to dispute agency analysis of indeterminate fiscal impact on the Department of Correctional Services.						

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

## LB<sup>(1)</sup> 115 FISCAL NOTE

State Agency OR P	olitical Subdivision Name: (2)	Nebraska Department of Correctional Services (NDCS)					
Prepared by: <sup>(3)</sup>	Christina Peters	Date Prepared: <sup>(4)</sup>	January 16, 2013	Phone: (5)	(402) 479-5702		

## ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2013-14</u>		<u>FY 2014-15</u>		
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>	
GENERAL FUNDS	Indeterminable				
CASH FUNDS					
FEDERAL FUNDS					
OTHER FUNDS					
TOTAL FUNDS					

<u>Return by date specified or 72 hours prior to public hearing, whichever is earlier.</u> Explanation of Estimate:

Fiscal Impact – Indeterminable.

The impact on NDCS related to future admissions is not determinable. NDCS currently has 99 inmates with charges of Manslaughter.

The FY12 per diem (cost per day of feeding, clothing, housing, medical, etc.) for an individual inmate was \$6,454 per year.

M	AJOR OBJECT	S OF EXPENDI	ΓURE		
Personal Services:					
	NUMBER OF POSITION		2013-14	2014-15	
POSITION TITLE	<u>13-14</u>	<u>14-15</u>	<b>EXPENDITURES</b>	<b>EXPENDITURES</b>	
Benefits					
Operating					
Travel					
Capital outlay					
Aid					
Capital improvements					
TOTAL					