PREPARED BY: DATE PREPARED: PHONE:

Doug Nichols January 24, 2018 402-471-0052

I B 780

Revision: 00

FISCAL N LEGISLATIVE FISCAL ANALYST ESTIMATE

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

	FY 201	l 8-19	FY 20	19-20
_	EXPENDITURES REVENUE		EXPENDITURES	REVENUE
GENERAL FUNDS		(50,000)		(61,000)
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS		(50,000)		(61,000)

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

This bill would prohibit manufacture, import, transfer, and possession of multiburst trigger activators and firearm silencers and violation is a Class IV felony.

The Department of Correctional Services (NDCS) states that this bill has the potential to increase the number of individuals convicted of Class IV felonies but the fiscal impact is indeterminable at this time.

If the impact of this bill is to increase the inmate prison population by more than current law, then this bill could increase the inmate prison population. As of July-September 2017, the state inmate prison population was 155.70% of design capacity. Additionally, the Department of Correctional Services contracts with some counties to temporarily house prison inmates. If those inmates are included in the state prison population numbers, then the inmate prison population would be 158% of design capacity.

If the impact of this bill is to increase the inmate prison population by more than current law, NDCS could incur additional per diem costs. This is the cost for food, medical care, inmate wages, clothing, cleaning supplies, food service supplies, cell and dorm supplies, other inmate related supplies, laundry, inmate property, miscellaneous contractual services, and inmate transportation. The FY17 per diem cost for an individual inmate was \$8,649 per year, which includes NDCS inmates in county jails.

For informational purposes, the Department of Correctional Services (NDCS) estimates the cost per offender (All facilities including Parole) at \$31,271 for FY16. This cost represents an average cost of all General, Cash, and Federal expenditures excluding aid, depreciation, and Capital Construction expenditures.

The Supreme Court and the Board of Parole estimate no fiscal impact from this bill.

The items made illegal by this bill are currently legal. It is assumed that persons who purchase them pay the applicable sales tax. Therefore, this bill could reduce sales tax revenues.

The Department of Revenue estimates that this bill will reduce General Fund revenues by \$50,000 in FY19, \$61,000 in FY20, and either \$65,000 or \$68,000 in FY21. The Legislative Fiscal Office fiscal analyst assumes this is a reduction in sales tax revenues.

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE						
LB: 780	AM:	AGENCY/POLT. SUB: Nebraska Sup	reme Court (005)			
REVIEWED	BY: Joe Wilcox	DATE: 01/23/2018	PHONE: (402) 471-4178			
COMMENTS: No basis to dispute the Nebraska Supreme Court estimate of No Fiscal Impact to the Agency from LB 780.						

ADMIN	NISTRATIVE SERVIC	ES STATE BUDGET DIVISION: REVIEW OF A	GENCY & POLT. SUB. RESPONSE		
LB: 780	AM:	AGENCY/POLT. SUB: Nebraska Dep	artment of Revenue (016)		
REVIEWED	BY: Joe Wilcox	DATE: 01/22/2018	PHONE: (402) 471-4178		
COMMENTS: No basis to dispute the Nebraska Department of Revenue estimate of potential State General Fund Revenue loss from LB 780.					

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE					
LB: 780	AM:	AGENCY/POLT. SUB: Nebraska Boa	rd of Parole (015)		
REVIEWED I	BY: Joe Wilcox	DATE: 01/16/2018	PHONE: (402) 471-4178		
COMMENTS: No basis to dispute the Nebraska Board of Parole estimate of No Fiscal Impact to the Agency from LB 780.					

LB 780 Fiscal Note 2018

State Agency Estimate							
State Agency Name: Department	t of Revenue				Date Due LFA:1/22/2018		
Approved by: Tony Fulton		Date Prepared:	1/22/2018		Phone: 471-5896		
	FY 2018-	-2019	FY 2019	-2020	FY 2020-	-2021	
	Expenditures	Revenue	Expenditures	Revenue	Expenditures	Revenue	
General Funds Cash Funds	\$ 0	(\$ 50,000)	\$ 0	(\$ 61,000)	\$ 0	(\$ 68,000)	
Federal Funds Other Funds	Ф.О.	(\$ 50,000)	Ф.О.	(\$ <1,000)	Φ.0	(f) (0,000)	
Total Funds	\$ 0	(\$ 50,000)	\$ 0	(\$ 61,000)	\$ 0	(\$ 68,000)	

LB 780 would amend several sections in the Nebraska Criminal Code to make manufacturing, importing, or selling any multiburst trigger activator or firearm silencer a Class IV felony. A multiburst trigger activator is defined as a device that allows a firearm to discharge two or more rounds in a burst or increases the rate of fire of a semiautomatic weapon. A firearm silencer is any device to muffle or reduce the report of a firearm.

The operative date is three months.

The Department estimates the following impact on the General Fund:

Fiscal Year	General Fund
18-19	(\$50,000)
19-20	(\$61,000)
20-21	(\$65,000)

	Major Objects of Expenditure								
Class Code	Classification Title	18-19 <u>FTE</u>	19-20 <u>FTE</u>	20-21 <u>FTE</u>	18-19 Expenditures	19-20 Expenditures	20-21 Expenditures		
Operating Costs									
Travel									
					•				
	Capital Improvements.								

$LB^{(1)}$	780							FISCAL NOTE			
State Ag	gency OR F	Political Sub	division Name: (Nebr	Nebraska Board of Parole						
Prepared by: (3) Rosa		Rosalyn	Cotton	Da	te Prepared: (4)	1/9/18	Phone: (5)	402-479-5731			
		ES7	ΓΙΜΑΤΕ PRO	VIDED BY	STATE AGENO	CY OR POLITI	ICAL SUBDIVISI	ON			
			ŗ	FY 2018-19	9		FY 201	9-20			
		<u>E</u>	XPENDITUR		<u>REVENUE</u>	EXPEN	<u>IDITURES</u>	<u>REVENUE</u>			
GENER	RAL FUNI	DS _									
CASH F	FUNDS	<u>-</u>									
FEDER	RAL FUND	OS _									
OTHE	R FUNDS										
TOTAI	L FUNDS	-									
Explana	ation of E	stimate:									
No sia	nificant ir	mnact on	budget relate	d to I B78	Λ						
Persona	al Services	 S:	BREAKD		MAJOR OBJECT						
	POSIT	ION TITL	<u>E</u>	NUMBER <u>18-19</u>	OF POSITION <u>19-20</u>		018-19 NDITURES	2019-20 EXPENDITURES			
Benefit	S										
Operat	ing										
Travel.											
Capital	outlay										
-	-										
TO	I AL							-			

LB ⁽¹⁾ 780			FISCAL NO	OTE				
State Agency OR Political Subdivision Name: (2	Nebraska Departr	Nebraska Department of Correctional Services						
Prepared by: (3)	Date Prepared: (4)	1/11/18	Phone: (5) 4024795767					
ESTIMATE PROV	/IDED BY STATE AGENO	CY OR POLITICAL SU	JBDIVISION					
F	Y 2018-19		FY 2019-20					
<u>EXPENDITUR</u>		EXPENDITUR						
GENERAL FUNDS		_						
CASH FUNDS		_						
FEDERAL FUNDS		_						
OTHER FUNDS		_						
TOTAL FUNDS 0	0	0	0					
Explanation of Estimate:								
This legislation has the potential to ince the products prohibited by LB 780 are law, be prosecuted, convicted and sen reasons, the fiscal impact of LB 780 is	rease the number of ind not currently illegal, so it itenced to NDCS as a re indeterminable at this ti	t is unknown how ma esult the crimes estab me.	any individuals will violate blished by LB 780. For t	e the				
Personal Services:	OWN BY MAJOR OBJECT							
POSITION TITLE	NUMBER OF POSITION 18-19 19-20	S 2018-19 <u>EXPENDITUR</u> - —	2019-20 RES EXPENDITUR	<u>RES</u>				
Benefits								
Operating								
Travel								
Capital outlay			<u> </u>					
Aid								
Capital improvements								

$LB^{(1)}$	780							FISCAL NOTE
State Ag	jency OR P	olitical Sub	division Name: (05 Sup	reme Cour	t		
Prepare	Prepared by: (3) Eric Asboe		oe	Date	Prepared: (4)	1/22/18	Phone: (5)	1-4138
		ES7	TIMATE PROV	/IDED BY ST	TATE AGENO	CY OR POLIT	FICAL SUBDIVISION	ON
		-						
		<u>E</u>	<u>t</u> EXPENDITUR	<u>Y 2018-19</u> <u>ES</u> <u></u>	REVENUE	EXPE	<u>FY 2019</u> NDITURES	<u>REVENUE</u>
GENER	RAL FUNI	DS		<u></u>				
CASH F	UNDS							
FEDER	AL FUND	os -		_				
OTHER	R FUNDS	-						
TOTAL	_ FUNDS	_						
Explana	ation of Es	stimate:						
No fisc	al impac	+						
140 1130	ai iiiipac							
			BRFAKD	OWN BY MA	JOR OBJECT	S OF FXPFN	IDITURF	
<u>Persona</u>	al Services	S:	<u> </u>					0010.00
	POSIT	ION TITL	<u>E</u>	18-19	F POSITION: 19-20		2018-19 <u>:NDITURES</u>	2019-20 EXPENDITURES
						<u> </u>		
Popofite						<u> </u>		
-	-							
Aid								
Capital	improven	nents						
TO	TAL							