

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

<b>ESTIMATE OF FISCAL IMPACT – STATE AGENCIES</b> (See narrative for political subdivision estimates)				
	<b>FY 2013-14</b>		<b>FY 2014-15</b>	
	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 include ammunition in certain offenses involving firearms. The offenses have the following penalties attached to them:

Unlawful transfer of a firearm or ammunition to a juvenile is a Class III felony (Maximum — twenty years imprisonment, or twenty-five thousand dollars fine, or both; Minimum — one year imprisonment).

Possession of a deadly weapon which is not a firearm or ammunition by a prohibited person is a Class III felony (Maximum — twenty years imprisonment, or twenty-five thousand dollars fine, or both; Minimum — one year imprisonment).

Possession of a deadly weapon which is a firearm or ammunition by a prohibited person is a Class ID felony for a first offense (Maximum — fifty years imprisonment; Mandatory minimum — three years imprisonment), and a Class IB felony for a second or subsequent offense (Maximum — life imprisonment; Minimum — twenty years imprisonment).

Transferring a firearm or ammunition to a person who is prohibited from receipt or possession of such items by state or federal law is a Class IV felony (Maximum — five years imprisonment, or ten thousand dollars fine, or both; Minimum — none).

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. They also state that this bill's impact on future admissions is not determinable. The response of NDCS is attached and contains additional information.

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.

<b>ADMINISTRATIVE SERVICES-STATE BUDGET DIVISION: REVIEW OF AGENCY &amp; POLT. SUB. RESPONSES</b>			
LB: <b>LB 148</b>	AM:	AGENCY/POLT. SUB: <b>Department of Correctional Services (046)</b>	
REVIEWED BY: Joe Wilcox		DATE: January 16 <sup>th</sup> , 2013	PHONE: <a href="tel:4024714178">(402) 471-4178</a>
COMMENTS: No basis to dispute agency analysis of indeterminate fiscal impact on the Department of Correctional Services.			

