

BDR 14-559

SB 454

EXECUTIVE AGENCY FISCAL NOTE

AGENCY'S ESTIMATES

Date Prepared: April 3, 2015

Agency Submitting: Nevada Department of Corrections

Items of Revenue or Expense, or Both	Fiscal Year 2014-15	Fiscal Year 2015-16	Fiscal Year 2016-17	Effect on Future Biennia
Inmate Supplies (Expense)		\$75,819	\$103,094	\$409,938
Total	0	\$75,819	\$103,094	\$409,938

Explanation

(Use Additional Sheets of Attachments, if required)

The Department of Corrections has reviewed BDR # 14-559 which transfers responsibility for collection of restitution payments by offenders to the State Controller's Office, mandates the Department to obtain duplicate driver's licenses for qualifying offenders, release certain confidential information to the Attorney General's Office, and mandates the Administrative Commission on the Administration of Justice to conduct a study of sentence credits earned by category B inmates to satisfy the minimum sentence term. In particular, the section requiring the Department to provide duplicate driver's licenses for qualifying offenders will have costs impacts to the Department.

For additional narrative, please, refer to the attached exhibits.

Name Scott K. Sisco

Title Deputy Director

DEPARTMENT OF ADMINISTRATION'S COMMENTS

Date Thursday, March 26, 2015

The agency's response appears reasonable.

Name James R. Wells

Title Director

DESCRIPTION OF FISCAL EFFECT

BDR/Bill/Amendment Number: 14-559

Agency Number: 440, Nevada Department of Corrections

Date: March 25, 2015

Bill Draft Request 14-559 proposes to revise Chapter 174 of NRS by transferring the responsibility for collection of restitution payments by offenders to the State Controller's Office. Currently, the NOC's Inmate Banking Office collects fees and payments from its offenders if they are earning wages, and, then, it deposits them into a fund. In turn, funds are transferred to the Division of Parole and Probation. The proposed change will require the Director of the NDOC to work in collaboration with the State Controller's Office (SCO) to gather any necessary information regarding the dollar amount of the restitution payments that must be paid by offenders. Based on existing procedures, court fines, administrative assessments, and fees are transferred to the appropriate state or county agencies based on inmate name, NDOC#, and case number. Restitution payments are transferred to the Division of Parole and Probation on a regular basis with similar details. The proposed bill would allow the SCO to be a pass-through entity between the NDOC and the agencies which are currently receiving the payments directly from the NDOC. This would create delays in those agencies receiving, applying, and reflecting those payments. Additionally, should questions arise concerning payment history, it is unclear in this bill whether the NDOC should direct questions to the SCO or the agency who ultimately receives the payment. It is also unclear that if an overpayment occurs towards fines, administrative assessments, fees, and/or restitution payments, would the overpayment get to the NDOC from the SCO or the agency who ultimately received the payment.

Per Section 9, the NDOC will have to make an effort to obtain duplicate driver's licenses for qualifying offenders. The NDOC has reviewed its existing procedures and concluded that the department is unable to order driver's licenses for inmates, and duplicate copies are not issued to individuals whose licenses were revoked or if there was a change of address. Reinstatement of a driver's license after revocation can cost between \$75 and \$120. A duplicate license or ID card ranges from \$12.25 to \$21.25. Prior to release, inmates are given all necessary tools to obtain a new license or an ID card from the DMV within 90 days post incarceration. Prior to release, the NDOC orders birth certificates or social security cards, so that inmates have all the necessary documents to apply for a new license, if the original license is expired. Currently, inmates housed at our two transition houses, CGTH and NNRC, require a DMV issued identification card or driver's license. These residents work in community assignments and must have an ID to be able to work. If there isn't an ID card in the inmate's I-file or if the inmate's family is unable to forward it, the cost has to be absorbed by the Inmate Welfare Fund for indigent inmates. Thus,

the NDOC will need resources to fund the proposed requirement. Assuming that all inmates released from the NDOC will have to be provided a duplicate license, the NDOC would need to replenish the Inmate Welfare Fund with \$75,819 in Fiscal year 2016, \$103,094 in Fiscal Year 2017, and \$409,938 in future biennia.

Section 10 authorizes the director of the NDOC to release confidential information about victims to the Attorney General's Office. The information would be used for release notifications. By statute, victim information is confidential.

Section 17 of this bill mandates the Administrative Commission on the Administration of Justice to conduct a study of sentence credits earned by category B inmates to satisfy the minimum sentence term. The NDOC should have no problem providing the necessary data to this study. This section further adds that law enforcement agencies will be part of an integrated criminal justice data system. The NDOC will be in need to acquire additional resources to integrate its database information with other criminal justice agencies, but without the specific information, the potential cost cannot be determined at this time.

BDR 14-559
Nevada Department of Corrections
March 26, 2015

Budget Account: 7023, Inmate driven supplies
Department: 440/Corrections

Catg	Description	Rate ¹	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021
--	Releases Projections ²	--	4,481	6,093	6,052	6,016	6016	6144
50	Inmate Driven Supplies	\$16.92	\$75,819	\$103,094	\$102,400	\$101,791	\$101,791	\$103,956
Total			\$75,819	\$103,094	\$102,400	\$101,791	\$101,791	\$103,956

¹ The average cost of obtaining a duplicate license or identification card. Assumes the rates will stay fixed through 2021.

²Projection derived by the JFA for the 2015 Legislatively Approved Budget Phase.