

EXECUTIVE AGENCY
FISCAL NOTE

AGENCY'S ESTIMATES

Date Prepared: January 29, 2017

Agency Submitting: Nevada Department of Corrections

Items of Revenue or Expense, or Both	Fiscal Year 2016-17	Fiscal Year 2017-18	Fiscal Year 2018-19	Effect on Future Biennia
Total	0	0	0	0

Explanation

(Use Additional Sheets of Attachments, if required)

The Nevada Department of Corrections (NDOC) has reviewed BDR 3-378, which proposes to amend NRS 34.724, in part, by requiring inmates to exhaust all available administrative remedies before they can file a writ of habeas corpus challenging the computation of their time. It would also amend NRS 34.810 by adding that the court shall dismiss a petition that challenges the computation of time if the court determines that the petitioner did not exhaust all available administrative remedies. In addition, Chapter 209 would be amended by adding a new section that stipulates the Department shall adopt regulations to establish procedures for the expedited resolution of a challenge to the computation of time that an offender has served which is brought by the offender within 180 days immediately preceding the date projected by the Department for the release of the offender. It is believed that this would carry some fiscal impact to the NDOC in that this would now require inmates to file inmate grievances and exhaust that "administrative remedy" before they could file a writ of habeas corpus challenging the computation of their time. At this time, however, the fiscal impact cannot be determined. We have no information about how many such writs are currently being filed without exhausting existing administrative remedies. In addition, we have no estimate on the total associated costs (forms and staff time) for an "average" individual inmate grievance of this nature to go through the inmate grievance process. Due to the amount of staff time used for grievances, especially involving time computations, it is believe this fiscal impact could, at least in staff hours, be significant. Based on the current language of the proposed statute change, the NDOC is unable to forecast the fiscal impact at this time.

Name Scott Ewart

Title Chief of Fiscal Services

DEPARTMENT OF ADMINISTRATION'S COMMENTS

Date Friday, January 27, 2017

The agency's response appears reasonable.

Name Paul Nicks

Title Exec. Branch Budget Officer