BDR 16-178
AB 271

UNSOLICITED

EXECUTIVE AGENCY

FISCAL NOTE

AGENCY'S ESTIMATES

Date Prepared: March 27, 2023

Agency Submitting: Department of Public Safety, Parole Board

Items of Revenue or Expense, or Both	Fiscal Year 2022-23	Fiscal Year 2023-24	Fiscal Year 2024-25	Effect on Future Biennia
Operating - Supplies (Expense)		$296	$119	
Contracts (Expense)		$20,551	$8,220	
Salaries (Expense)		$104,408	$138,455	$242,863
Operating (Expense)		$1,426	$1,996	$3,992
Equipment (Expense)		$7,493		
Information Services (Expense)		$642	$713	$1,426
Total	0	$134,816	$149,503	$248,281

Explanation (Use Additional Sheets of Attachments, if required)

The Nevada Board of Parole Commissioners has reviewed BDR 16-178 / AB271, which proposes to amend NRS 209.4465 to apply good, meritorious, educational, and exceptional meritorious credits toward the minimum sentence term or minimum aggregated term of Category B offenses that are not violent, sex, or vehicular homicide, and to deduct these credits until becoming eligible for parole. All credits earned will be applied toward the minimum sentences of Category B offenses committed the offense on or after July 1, 2014. The calculation of credits earned by an offender in accordance with NRS 209.4465 will be applicable retroactively, and the amendatory provisions will be applicable to offenses committed before, on or after October 1, 2023. (Please see attached)

Name Kathi Baker

Title Management Analyst III

DESCRIPTION OF FISCAL EFFECT

BDR/Bill/Amendment Number: AB271/BDR 16-178

Name of Agency: Board of Parole Commissioners

Division/Department: 660/Public Safety

Date: 3/27/2023

The Nevada Board of Parole Commissioners has reviewed AB271, BDR 16-178, which proposes to amend NRS 209.4465 to apply good, meritorious, educational, and exceptional meritorious credits toward the minimum sentence term or minimum aggregated term of Category B offenses that are not violent, sex, or vehicular homicide, and to deduct these credits until becoming eligible for parole. All credits earned will be applied toward the minimum sentences of Category B offenses committed the offense on or after July 1, 2014. The calculation of credits earned by an offender in accordance with NRS 209.4465 will be applicable retroactively, and the amendatory provisions will be applicable to offenses committed before, on or after October 1, 2023.

The Nevada Department of Corrections (NDOC) has determined that there are approximately 2,104 Category B offenders in the NDOC institutions who will qualify for these credits, if AB271 is passed. Of those, 1,381 of them will be eligible for a parole hearing immediately. The Board cannot determine the full impact of the proposed amendment to NRS 209.4465; however, it will not only have a significant impact in preparing these offender files for hearings, but it will also significantly increase the number of hearings that will need to be conducted for these newly eligible inmates. The estimated time to workup an inmate file in preparation of a hearing is approximately twenty minutes, per file. This equates to an estimated 460 additional hours to complete the preparation of these 1,381 files for an immediate hearing. Contracted Hearing Representatives will have to be utilized for these additional file workups, leaving the Board's Hearing Examiners available to continue to work up the regularly scheduled monthly offender files. This will require an increase to the Board's budgeted hearing representative funds in the amount of $14,385.

Additionally, the Board's hearing workload will increase by an additional 200 parole hearings per month, if these hearings are rolled out incrementally over a seven-month period. In order to conduct these hearings most expeditiously (if AB271 is passed) the Chairman and a hearing representative will likely need to conduct these additional 200 monthly hearings, above and beyond the hearings that are presently on a monthly eligibility list. It is estimated that this will take approximately 460 hours to complete these 1,381 immediate eligible additional hearings. The Parole Board offices presently conducts all day hearings

approximately 14 days per month, (Monday through Thursday). In addition, other days are set aside for parole violation, lifetime supervision, early discharge, out of state custody, and contingency hearings, and Board meetings. As a result, it will take an estimated seven months to complete these additional hearings, if AB271 is passed. The additional use of hearing representatives to assist the Chairman with the hearings will increase the Boards budgeted hearing representative funds by another additional $14,385. NRS 213.133 allows hearing representatives to assist Board Members in conducting parole hearings. Passage of AB271 will stall the Chairman's existing workload and management duties of Board staff, while involved in these all-day hearings.

Given the time and effort to comply with the proposed amendment to NRS 209.4665, the Board is requesting an increase to our hearing representative funds in the amount of $28,771, and $415 in operating supplies for printing orders and completing workups. If passed, AB271 would be effective as of October 1, 2023. Workups are completed 3-4 months prior to an offender's parole eligibility date. Parole hearings take place approximately 90 days before the parole eligibility date. Offenders eligible for credits pursuant to AB271, may have their file workups completed in fiscal year 2023, but the hearings may be scheduled into fiscal year 2024. Five months of the requested funds will be entered into fiscal year 2024 to cover the costs to hold these hearings. Two months of the requested funds will be entered into fiscal year 2025 to cover the costs to hold these hearings. The Board is also requesting an increase to fund a new Executive Director position. This position is approved in the Governor's Recommended Budget, however, if the position is not approved in the Legislative Approved Budget, then the Executive Director will be needed for the Chairman to hold hearings with Hearing Representatives if AB271 passes. The estimated cost for one new Executive Director position, to include salary, benefits, operating costs, computer, and furniture will be approximately $113,969 in FY 2024, and $141,164 in FY 2025, and $282,328 for future biennia. If this position is approved in the Parole Board's budget request, then this request would be a duplicate and therefore would not be necessary.

The fiscal impact in the biennium(s) as noted above, contain the projected incremental change in financial costs to implement the legislation as currently proposed in the bill. Funding for the incremental financial costs for supplies and Hearing Representative funds are not included in the Governor's Recommended Budget for the 24/25 Biennium and will require additional funding appropriations by the 82st (2023) Legislative Session.

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