

BDR 16-709
SB 323

EXECUTIVE AGENCY
FISCAL NOTE

AGENCY'S ESTIMATES

Date Prepared: March 14, 2025

Agency Submitting: Department of Corrections

Items of Revenue or Expense, or Both	Fiscal Year 2024-25	Fiscal Year 2025-26	Fiscal Year 2026-27	Effect on Future Biennia
Operating Expense (Expense)		\$246,046	\$253,602	\$507,204
Total	0	\$246,046	\$253,602	\$507,204

Explanation

(Use Additional Sheets of Attachments, if required)

Please see attachment for expanded description:

The department has determined that should the current vendor decline to pay for the cost of the free calls at Florence McClure Women's Correctional Center, requiring the department to pay for the free calls, there would be a fiscal impact for Section 1 of the bill as written in the amount of \$246,047 for SFY26, \$253,602 for SFY27 and \$507,204 for future biennia. Supporting calculations are attached.

Name Kitty DeSocio

Title Deputy Director of Support Services

GOVERNOR'S OFFICE OF FINANCE COMMENTS

Date Friday, March 14, 2025

The agency's response appears reasonable.

Name Tiffany Greenameyer

Title Director, Governor's Finance Office

The Nevada Department of Corrections has reviewed BDR 16-709. Section 1 of this bill codifies and makes permanent, an expired pilot program which provided telephone calls between offenders in custody of the department assigned to Florence McClure Women's Correctional Center and a family member. Section 1 further entitles the department to adopt regulations to administer provisions pertaining to reinstatement of the free call program. The department currently does not incur any costs related to this agreement. Should this bill become law, the department would be required to renegotiate with the communications phone vendor to determine if the vendor would agree to provide these free calls at the vendor's expense. Should the vendor refuse to pay for the free calls pursuant to Section 1 of this bill as written, the department has determined that there will be a fiscal impact.

Section 2 of this bill prohibits the department from charging an offender for any department costs for audio or video calls made by or to an offender, and further provides that if the department enters into a contract for communication services for offenders, the contract must include a provision requiring the provider to comply with a federal regulation that mandates the return of money deposited into an account owned by or for the benefit of an offender. All funds deposited into an Incarcerated People's Communications Services (IPCS) Account shall remain the property of the account holder until or unless the funds are disposed of according to specific provisions within the federal regulation as this section existed on January 1, 2025. (47C.F.R.S64.6130). The department is currently under contract with a communications vendor for audio (phone) calls. The current contract would require an amendment to include the language as required in this section of the bill.

Section 2 of this bill also prohibits the department from charging an offender for any department costs for audio or video calls made by or to an offender. The department does not incur costs for audio calls made by or to an offender. Offenders are charged a per minute rate by the vendor. The department does not have a finalized agreement with the communications vendor for video calls as this would be relevant to a tablet feature, and not a phone feature. The department is unable to determine the fiscal impact of this provision of Section 2 until the tablet portion of the contract agreement is finalized.

The department adopted regulations in 2024 (LCB File No. R-097-24, Section 3.3), which provides that certain charges, taxes, and other fees to offenders for telecommunications services are subject to provisions pursuant to 47 USC S 254, allowing the flexibility for any applicable changes should this bill become law.

The department has determined that should the current vendor decline to pay for the cost of the free calls at Florence McClure Women's Correctional Center, requiring the department to pay for the free calls, there would be a fiscal impact for Section 1 of the bill as written in the amount of \$246,047 for SFY26, \$253,602 for SFY27 and \$507,204 for future biennia. Supporting calculations are attached.

Bill	Effective Date	FY-25 Population Effect	FY-26 Population Effect	FY-27 Population Effect	Long-Run Population Effect	Current Average Daily Cost per Free 15 minute phone call Offender per	FY-25 Cost	FY-26 Cost	FY-27 Cost	Future Biennium Cost	Notes	Methodology/Assumptions	NDOC- Relevant Affected Statutes
(BDR 16-709)	7/1/2025	0	749	772	0.06	\$0.90	\$0.00	\$246,046.50	\$253,602.00	\$507,204.00	Data on video call cost to the Department is TBD. This is related to our tablet program, current contracted vendor still negotiating terms of the tablet portion of the contract.	Average 15 minute free phone call daily for each offender at Florence McClure Women's Correctional Center was calculated at .06 cents per minute as per FCC regulation maximum allowable to the vendor. The department does not receive any portion of this revenue.	NRS 209.111 and 209.131; NRS 209.235; NRS 209.111, 209.131, 209.221 and 209.241; NRS 209.11 and NRS 1,209.131, 209.247 and 209.2473