

Proposed

Projected Amount of Costs Avoided Formula

NRS 176.01347

Development of formula to calculate costs avoided by enactment of chapter 633, Statutes of Nevada 2019; submission of statements and reports regarding costs avoided.

1. The Sentencing Commission shall develop a formula to calculate for each fiscal year the amount of costs avoided by this State because of the enactment of chapter 633, Statutes of Nevada 2019. The formula must include, without limitation, a comparison of:

(a) The annual projection of the number of persons who will be in a facility or institution of the Department of Corrections which was created by the Office of Finance pursuant to [NRS 176.0129](#) for calendar year 2018; and

(b) The actual number of persons who are in a facility or institution of the Department of Corrections during each year.

2. Not later than December 1 of each fiscal year, the Sentencing Commission shall, with the assistance of the Department, use the formula developed pursuant to subsection 1 to calculate the costs avoided by this State for the immediately preceding fiscal year because of the enactment of chapter 633, Statutes of Nevada 2019, and submit a statement of the amount of the costs avoided to the Governor and the Director of the Legislative Counsel Bureau for transmittal to the Interim Finance Committee.

3. Not later than August 1 of each even-numbered year, the Sentencing Commission shall, with the assistance of the Department, prepare a report containing the projected amount of costs avoided by this State for the next biennium because of the enactment of chapter 633, Statutes of Nevada 2019, and recommendations for the reinvestment of the amount of those costs to provide financial support to programs and services that address the behavioral health needs of persons involved in the criminal justice system in order to reduce recidivism. In preparing the report, the Sentencing Commission shall prioritize providing financial support to:

(a) The Department of Corrections for programs for reentry of offenders and parolees into the community, programs for vocational training and employment of offenders, educational programs for offenders and transitional work programs for offenders;

(b) The Division for services for offenders reentering the community, the supervision of probationers and parolees and programs of treatment for probationers and parolees that are proven by scientific research to reduce recidivism;

(c) Any behavioral health field response grant program developed and implemented pursuant to [NRS 289.675](#);

(d) The Housing Division of the Department of Business and Industry to create or provide transitional housing for probationers and parolees and offenders reentering the community; and

(e) The Nevada Local Justice Reinvestment Coordinating Council created by [NRS 176.014](#) for the purpose of making grants to counties for programs and treatment that reduce recidivism of persons involved in the criminal justice system.

4. Not later than August 1 of each even-numbered year, the Sentencing Commission shall submit the report prepared pursuant to subsection 3 to the Governor and to the Director of the Legislative Counsel Bureau for transmittal to the next regular session of the Legislature.

(Added to NRS by [2019, 4379](#); A [2019, 2419](#))

Proposed Projected Amount of Costs Avoided Formula

DRAFT/SAMPLE FOR DISCUSSION ONLY

Source		FY20	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY28
JFA February 2017^		14,953	15,151	15,377	15,613	15,789	15,968	16,206	16,409	N/A
JFA February 2023*							11,029	11,250	11,514	
Actual June 30 Prison Population		12,300	10,874	10,327	10,435	10,643				
Current Prison Population Avoided	AB 236 not yet in effect		4,277	5,050	5,178	5,146	4,939	4,956	4,895	
Average Annual Inmate Driven Costs (New Calculation)	AB 236 not yet in effect		\$ 4,101	\$ 3,839	\$ 4,393	\$ 4,399	\$ 4,404	\$ 4,410		
Statement of Costs Avoided	AB 236 not yet in effect		\$21 million	\$21 million	\$21 million					
Statement of Costs Avoided (New Calculation)			\$ 20,710,605.50	\$ 19,879,170.48	\$ 22,608,848.08					
Projected Amount of Costs Avoided	AB 236 not yet in effect	N/A	N/A	\$21 million	\$21 million					
Projected Amount of Costs Avoided (New Calculation)						\$ 21,726,364.66	\$ 21,828,206.40	\$ 21,584,992.00		

Need Annual Cost Per Offender and percentage of budget represented by Offender-Driven Costs
 Need percentage of budget represented by Offender-Driven Costs

Note: AB 236 went into effect July 1, 2020, so costs avoided were not calculated for FY20

^ Indicates projected population for December 31 as the June 30 projected population was not reported by JFA

* Indicates projected population for June 30

NDOC April 30, 2024, population is used for the Actual June 30 Prison Population here. This will be updated to June 30, 2024, numbers once available.

Current prison population avoided is calculated by subtracting the actual total population from the 2017 projections

New calculation for prison population avoided is calculated by subtracting the actual total population from the 2017 projections, per statute, and multiplying that difference by the offender-driven portion of the annual cost per offender

FY26 and FY27 Inmate-Driven Costs are calculated using a projected 0.12% growth rate

Projected Amount of Costs Avoided Report is published by August 1 of each even-numbered year

Statement of Costs Avoided Report is published by December 1 of each year