

PREPARED BY: Liz Hruska  
 DATE PREPARED: April 08, 2022  
 PHONE: 402-471-0053

**LB 922**

Revision: 01

Revised based on amendments adopted through 4-8-22

**FISCAL NOTE**  
**LEGISLATIVE FISCAL ANALYST ESTIMATE**

<b>ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)</b>				
	<b>FY 2022-23</b>		<b>FY 2023-24</b>	
	<b>EXPENDITURES</b>	<b>REVENUE</b>	<b>EXPENDITURES</b>	<b>REVENUE</b>
GENERAL FUNDS	\$325,893		\$316,449	
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
<b>TOTAL FUNDS</b>	<b>\$325,893</b>		<b>\$316,449</b>	

**Any Fiscal Notes received from state agencies and political subdivisions are attached following the Legislative Fiscal Analyst Estimate.**

This bill increases the number of judges in the fourth district, Douglas County, by one to 18. The cost for the judge, a court reporter and operating expenses is \$325,893 in FY 2023 and \$316,449 in FY 2024.

The bill as amended by AM 2332 makes the following changes:

Section 2 requires the jury commissioner to be the clerk of the district court in all counties. Counties with a population greater than 175,000 are authorized to provide additional compensation to the clerk of the district court for performance of these duties. There is no impact on the state. There would be a minimal impact if a county provides the allowable increased compensation.

Under the provisions in Section 6, a person who is not licensed or privileged to use an electronic device such as an unmanned aircraft enters into, upon or above a property would commit a second-degree criminal trespass offense. Under the provision in Section 7, the offense of criminal impersonation by stolen valor is defined as a Class I misdemeanor. These new offenses would require additional judicial education which can be handled within existing agency resources.

The provisions of Section 8 would allow claims to be paid from the State Self-Insured Liability Fund for attorney’s fees associated with a required appearance by an agency legal counsel or other legal counsel hired to represent an agency, official or employee before any tribunal, if such claims result from the inability of the Attorney General to represent due to a conflict of interest. The attorney fees would be paid from existing appropriations and fund balances. If appropriations are not adequate, the amounts would be covered in annual claims bill.

The provisions of AM 2429 eliminate specific criteria of cash medical support or the cost of health care coverage and aligns the criteria with those for child support. The Supreme Court is given the responsibility of establishing the guidelines for cash medical support and health care coverage. This amendment does not have a fiscal impact.

<b>ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY &amp; POLT. SUB. RESPONSE</b>		
<b>LB: 922</b>	<b>AM:</b>	<b>AGENCY/POLT. SUB: Nebraska Supreme Court (05)</b>
REVIEWED BY: Joe Wilcox	DATE: 02/14/2022	PHONE: (402) 471-4178
COMMENTS: No basis to dispute the Nebraska Supreme Court estimate of Fiscal Impact to the Courts from LB 922.		

Please complete ALL (5) blanks in the first three lines.

**2022**

**LB<sup>(1)</sup> 922 AM 2332**

**FISCAL NOTE**

State Agency OR Political Subdivision Name: <sup>(2)</sup> Dept of Administrative Services (DAS) – Risk Management Division

Prepared by: <sup>(3)</sup> Allen Simpson Date Prepared: <sup>(4)</sup> 4/8/2022 Phone: <sup>(5)</sup> (402)471-4436

**ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION**

	<u>FY 2022-23</u>		<u>FY 2023-24</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	_____	_____	_____	_____
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
<b>TOTAL FUNDS</b>	<b>=====</b>	<b>=====</b>	<b>=====</b>	<b>=====</b>

**Explanation of Estimate:**

LB922, as amended with AM2332, includes language to pay attorney's fees associated with appearances by agency legal counsel or other legal counsel hired to represent the agency, official, or employee before any tribunal. In addition, it adds language where state agencies with insufficient funding must provide documentation of such insufficient funds to the Risk Manager.

In addition, the bill includes language to pay reasonable costs and attorney's fees from the State Self-Insured Liability Fund if the claim results from the inability of the Attorney General to represent an agency, official, or employee due to a conflict of interest.

Attorney fees will be paid with existing appropriation and fund balances. Insufficient balances would require amounts to be included in the annual claims bill.

Currently, there is no appropriation or funding mechanism for the State Self-Insured Liability Fund.

**BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE**

**Personal Services:**

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2022-23</u>	<u>2023-24</u>
	<u>22-23</u>	<u>23-24</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
<b>TOTAL.....</b>	<b>_____</b>	<b>_____</b>	<b>_____</b>	<b>_____</b>

Please complete ALL (5) blanks in the first three lines.

**2022**

**LB<sup>(1)</sup> 922**

**FISCAL NOTE**

State Agency OR Political Subdivision Name: <sup>(2)</sup> 05 Supreme Court

Prepared by: <sup>(3)</sup> Eric Asboe Date Prepared: <sup>(4)</sup> 2/13/2022 Phone: <sup>(5)</sup> 402-326-9215

**ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION**

	<u>FY 2022-23</u>		<u>FY 2023-24</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	<u>325,893</u>	<u>                    </u>	<u>316,449</u>	<u>                    </u>
CASH FUNDS	<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>                    </u>
FEDERAL FUNDS	<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>                    </u>
OTHER FUNDS	<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>                    </u>
TOTAL FUNDS	<u>325,893</u>	<u>                    </u>	<u>319,449</u>	<u>                    </u>

Explanation of Estimate:

LB922 creates an additional district court judge in Douglas County. A Court Reporter is assigned to each district court judge. Operating expenses include lease of laptops for the judge and Court Reporter. Travel expenses are related to judicial and employee education.

**BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE**

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2022-23</u>	<u>2023-24</u>
	<u>22-23</u>	<u>23-24</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
District Court Judge	<u>1</u>	<u>1</u>	<u>183,544</u>	<u>183,544</u>
Court Reporter	<u>1</u>	<u>1</u>	<u>67,942</u>	<u>66,240</u>
Benefits.....			<u>58,407</u>	<u>59,165</u>
Operating.....			<u>10,000</u>	<u>5,500</u>
Travel.....			<u>6,000</u>	<u>2,000</u>
Capital outlay.....			<u>                    </u>	<u>                    </u>
Aid.....			<u>                    </u>	<u>                    </u>
Capital improvements.....			<u>                    </u>	<u>                    </u>
TOTAL.....			<u>325,893</u>	<u>316,449</u>