

FISCAL NOTE
LEGISLATIVE FISCAL ANALYST ESTIMATE

| ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates) | | | | |
|---|-------------------|---------|-------------------|---------|
| | FY 2015-16 | | FY 2016-17 | |
| | EXPENDITURES | REVENUE | EXPENDITURES | REVENUE |
| GENERAL FUNDS | See Below | | | |
| CASH FUNDS | | | | |
| FEDERAL FUNDS | | | | |
| OTHER FUNDS | | | | |
| TOTAL FUNDS | | | | |

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

This bill would change liability for certain court costs as prescribed.

The Supreme Court states that this bill will reduce revenues to Cash Funds in the Supreme Court and in various agencies. See the Court's attached response for details.

The Nebraska Association of County Officials (NACO) states that counties paid \$727,145 in court costs from FY12 to FY14. This bill will reduce such costs for counties. See NACO's attached response for details.

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

2015

LB⁽¹⁾ 651

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾ Supreme Court

Prepared by: ⁽³⁾ Eric Asboe

Date Prepared: ⁽⁴⁾ 2/2/15

Phone: ⁽⁵⁾ 471-4138

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

| | <u>FY 2015-16</u> | | <u>FY 2016-17</u> | |
|---------------|---------------------|----------------|---------------------|----------------|
| | <u>EXPENDITURES</u> | <u>REVENUE</u> | <u>EXPENDITURES</u> | <u>REVENUE</u> |
| GENERAL FUNDS | _____ | _____ | _____ | _____ |
| CASH FUNDS | _____ | _____ | _____ | _____ |
| FEDERAL FUNDS | _____ | _____ | _____ | _____ |
| OTHER FUNDS | _____ | _____ | _____ | _____ |
| TOTAL FUNDS | ===== | ===== | ===== | ===== |

Explanation of Estimate:

LB 651 will significantly decrease revenue, from county courts only, to Cash Funds both within the Supreme Court and several State agencies. In turn, decreased revenue will affect the level of expenditures that can be made for programs supported from these Cash Funds. A specific fiscal impact cannot be determined since the amount of fees found to be uncollectible by judges is unknown.

However, to provide some information on the amount of revenue that may be affected, below is the amount claimed to counties for payment in FY13-14 for the fees listed in the first paragraph of Section 29-2709 (Section 2 of LB 651)

| <u>Agency/Branch (recipient of revenue)</u> | <u>Description of Fee</u> | <u>Amount Claimed to County</u> |
|---|----------------------------|---------------------------------|
| Supreme Court | Automation Fee | \$416,000 |
| NE Public Employees Retirement Systems | Judges Retirement Fund Fee | 312,699 |
| Commission for Public Advocacy | Legal Aid Service Fee | 102,919 |
| Crime Commission | Uniform Data Analysis Fee | 51,839 |
| Total | | \$883,457 |

Note:

1. Current law allows a judge to assess additional fees be paid. These fees are also claimed to the county. A partial list of such fees include the fee that supports the Law Enforcement Training Center, the Supreme Court Dispute Resolution Fee and the Supreme Court Judicial Branch Education Fee. These fees would no longer be claimed under LB 651.

2. In some circumstances, funds are eventually collected after a claim has been made to the county. When this occurs, the county is reimbursed. For FY13-14, the amount reimbursed was approximately \$92,000.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

| <u>POSITION TITLE</u> | <u>NUMBER OF POSITIONS</u> | | <u>2015-16</u> | <u>2016-17</u> |
|-----------------------|----------------------------|--------------|---------------------|---------------------|
| | <u>15-16</u> | <u>16-17</u> | <u>EXPENDITURES</u> | <u>EXPENDITURES</u> |
| _____ | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ |
| Benefits..... | _____ | _____ | _____ | _____ |
| Operating..... | _____ | _____ | _____ | _____ |
| Travel..... | _____ | _____ | _____ | _____ |
| Capital outlay..... | _____ | _____ | _____ | _____ |
| Aid..... | _____ | _____ | _____ | _____ |

Capital improvements.....

TOTAL.....

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

2015

LB⁽¹⁾ 651

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾

Nebraska Association of County Officials (NACO)

Prepared by: ⁽³⁾ Elaine Menzel

Date Prepared: ⁽⁴⁾ 1/23/2015

Phone: ⁽⁵⁾ 402-434-5660

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

| | <u>FY 2015-16</u> | | <u>FY 2016-17</u> | |
|---------------|---------------------|----------------|---------------------|----------------|
| | <u>EXPENDITURES</u> | <u>REVENUE</u> | <u>EXPENDITURES</u> | <u>REVENUE</u> |
| GENERAL FUNDS | _____ | _____ | _____ | _____ |
| CASH FUNDS | _____ | _____ | _____ | _____ |
| FEDERAL FUNDS | _____ | _____ | _____ | _____ |
| OTHER FUNDS | _____ | _____ | _____ | _____ |
| TOTAL FUNDS | ===== | ===== | ===== | ===== |

Explanation of Estimate:

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

| <u>POSITION TITLE</u> | <u>NUMBER OF POSITIONS</u> | | <u>2015-16</u> | <u>2016-17</u> |
|---------------------------|----------------------------|--------------|---------------------|---------------------|
| | <u>15-16</u> | <u>16-17</u> | <u>EXPENDITURES</u> | <u>EXPENDITURES</u> |
| _____ | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ |
| Benefits..... | _____ | _____ | _____ | _____ |
| Operating..... | _____ | _____ | _____ | _____ |
| Travel..... | _____ | _____ | _____ | _____ |
| Capital outlay..... | _____ | _____ | _____ | _____ |
| Aid..... | _____ | _____ | _____ | _____ |
| Capital improvements..... | _____ | _____ | _____ | _____ |
| TOTAL..... | _____ | _____ | _____ | _____ |

LB 651 would change the liability for certain court costs. In FY 2012 -2014- \$727,144.77 was dismissed in court over this time and paid by counties. It is estimated that the impact would be similar for all counties within the next 3 fiscal years. If this legislation is passed, then LB 651 would have a positive fiscal impact on counties.