

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

<b>ESTIMATE OF FISCAL IMPACT – STATE AGENCIES</b> (See narrative for political subdivision estimates)				
	<b>FY 2021-22</b>		<b>FY 2022-23</b>	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS	See below		See below	
CASH FUNDS	See below		See below	
FEDERAL FUNDS				
OTHER FUNDS	See below		See below	
TOTAL FUNDS	See below		See below	

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

LB88 would provide certain protections to student journalists and student media advisers. The Legislative Fiscal Office requested Fiscal Note commentary from the University of Nebraska, the Nebraska State College System (NSCS), the Community Colleges, and the Coordinating Commission for Post-Secondary Education (CCPE).

The University, Coordinating Commission, and Community Colleges indicate no fiscal impact to their organizations.

The NSCS advises that varying degrees of impact are possible depending on whether the student journalist acts on behalf of a newspaper or organization that is within or outside of a College’s student programming. Although student organizations are not considered a part of the colleges, if the NSCS is sued as a result of a student organization’s actions, the NSCS would need to cover legal costs for its defense. Such an action would require the NSCS to meet a \$150,000 deductible. This cost would result in either a General Fund impact or an increase in tuition and/or fees to cover the impact to the NSCS.

See attached Fiscal Note from the NSCS for details. The Fiscal Office has no basis on which to disagree with these statements.

<b>ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY &amp; POLT. SUB. RESPONSE</b>			
LB: 88	AM:	AGENCY/POLT. SUB: Nebraska State College System	
REVIEWED BY: Jacob Leaver	DATE: 1/19/2021	PHONE: (402) 471-4173	
COMMENTS: No basis to disagree with the Nebraska State College System’s estimate of no fiscal impact as a result of LB 88.			

<b>ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY &amp; POLT. SUB. RESPONSE</b>			
LB: 88	AM:	AGENCY/POLT. SUB: University of Nebraska	
REVIEWED BY: Jacob Leaver	DATE: 1/19/2021	PHONE: (402) 471-4173	
COMMENTS: No basis to dispute the University of Nebraska’s estimate of no fiscal impact to the agency as a result of LB 88.			

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE			
LB: 88	AM:	AGENCY/POLT. SUB: Coordinating Commission for Postsecondary Education	
REVIEWED BY:	Jacob Leaver	DATE: 1/14/2021	PHONE: (402) 471-4173
COMMENTS: No basis to dispute with the Coordinating Commission for Postsecondary Education's estimate of no fiscal impact to the commission as a result of LB 88.			

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE			
LB: 88	AM:	AGENCY/POLT. SUB: Nebraska Community College Association	
REVIEWED BY:	Jacob Leaver	DATE: 1/12/2021	PHONE: (402) 471-4173
COMMENTS: No basis to dispute with the Nebraska Community College Association's estimate of no fiscal impact to the agency as a result of LB 88.			

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

**2021**

**LB<sup>(1)</sup> 88**

**FISCAL NOTE**

State Agency OR Political Subdivision Name: <sup>(2)</sup> Nebraska State College System

Prepared by: <sup>(3)</sup> Carolyn Murphy Date Prepared: <sup>(4)</sup> January 13, 2021 Phone: <sup>(5)</sup> 402-471-2505

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

	<u>FY 2021-22</u>		<u>FY 2022-23</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	Insurance Deductibles	_____	Insurance Deductibles	_____
CASH FUNDS	Insurance Deductibles	_____	Insurance Deductibles	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	Undetermined, see below	_____	Undetermined, see below	_____
TOTAL FUNDS	Undetermined, see below	_____	Undetermined, see below	_____

**Explanation of Estimate:**

LB88 would provide certain protections to student journalists and student media advisers. While the State Tort Claims Act may provide some protections for the NSCS, that does not eliminate the need for the NSCS to protect itself from any lawsuits that are filed.

The NSCS currently has two college newspapers that are student organizations, which are outside of the control of their respective Colleges. College insurance policies do not provide coverage for student organizations. The NSCS believes any potential suit would fall outside of the student organization’s liability coverage currently in place, and it would be necessary for student organizations to purchase liability insurance. The additional cost for the insurance would come from Student Activity Fee (SAF) trust funds and would require an increase in SAF’s for all students. However, it is difficult to estimate the costs and availability of the insurance.

Although student organizations are not considered a part of the colleges, if the NSCS is sued as the result of a student organization’s actions, the NSCS would need to cover legal costs for its defense. Such an action would require the NSCS to meet a \$150,000 deductible. This cost would result in either a General Fund impact or an increase in tuition and/or fees to cover the impact to the NSCS.

The NSCS currently has one college newspaper that is a part of the College’s student programming. Liability for this newspaper would fall to the College’s insurance coverage, which has a \$150,000 deductible. As with the student organization example just above, the cost of a lawsuit to the NSCS regarding this college newspaper would be, at a minimum, meeting the \$150,000 deductible from either General Funds or an increase in tuition and/or fees to cover the impact to the NSCS.

**BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE**

**Personal Services:**

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2021-22 EXPENDITURES</u>	<u>2022-23 EXPENDITURES</u>
	<u>21-22</u>	<u>22-23</u>		
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____

Capital outlay.....  
Aid.....  
Capital improvements.....  
TOTAL.....

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

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

**2021**

**LB<sup>(1)</sup> 88**

**FISCAL NOTE**

State Agency OR Political Subdivision Name: <sup>(2)</sup> University of Nebraska

Prepared by: <sup>(3)</sup> Michael Justus Date Prepared: <sup>(4)</sup> January 17, 2021 Phone: <sup>(5)</sup> 402-472-7109

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2021-22</u>		<u>FY 2022-23</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:

The bill addresses student journalists and would have no fiscal impact on the University.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2021-22</u>	<u>2022-23</u>
	<u>21-22</u>	<u>22-23</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.

**2021**

**LB<sup>(1)</sup> 88**

**FISCAL NOTE**

State Agency OR Political Subdivision Name: <sup>(2)</sup> Coordinating Commission for Postsecondary Education

Prepared by: <sup>(3)</sup> Gary Timm Date Prepared: <sup>(4)</sup> 1/12/21 Phone: <sup>(5)</sup> 402.471.0020

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

	<u>FY 2021-22</u>		<u>FY 2022-23</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	_____	_____	_____	_____
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
TOTAL FUNDS	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

Explanation of Estimate:

No fiscal impact to the commission.

**BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE**

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2021-22</u>	<u>2022-23</u>
	<u>21-22</u>	<u>22-23</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	_____	_____	<u>0</u>	<u>0</u>

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

**2021**

**LB<sup>(1)</sup> 88**

**FISCAL NOTE**

State Agency OR Political Subdivision Name: <sup>(2)</sup> Nebraska Community College Association

Prepared by: <sup>(3)</sup> Greg Adams Date Prepared: <sup>(4)</sup> 1/11/2021 Phone: <sup>(5)</sup> 402 471-4685

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

	<u>FY 2021-22</u>		<u>FY 2022-23</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:

No fiscal impact

**BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE**

**Personal Services:**

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2021-22</u>	<u>2022-23</u>
	<u>21-22</u>	<u>22-23</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	_____	_____	_____	_____