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LB 407

Revision: 01

Revised due to adoption of AM696 on General File

FISCAL NOTE

LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES *				
	FY 2011-12		FY 2012-13	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS	(\$2,500)	\$7,055	(\$2,500)	\$840
CASH FUNDS		\$105		\$105
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS	(\$2,500)	\$7,160	(\$2,500)	\$945

*Does not include any impact on political subdivisions. See narrative for political subdivision estimates.

LB 407 amends the Nebraska Liquor Control Act, Nebraska Revised Statutes Sections 53-123.12, 53-124.12, 53-131, and 53-133, and in general deals with licensure.

Sections 53-123.12, 53-124.12, and 53-131 are amended to remove a requirement that the Liquor Control Commission notify the appropriate political subdivision clerk by registered or certified mail and adds that delivery may be made electronically.

Section 53-133 is amended to remove the registered or certified mail notification requirement, adds the electronic notification provision, and also provides that the commission shall not use electronic delivery to an applicant, a protestor, or a church under this section without the consent of the recipient.

The Liquor Control Commission estimates a reduction in postage expenditures of \$2,500 in each fiscal year of the biennium.

As amended by AM 696, the bill now incorporates the provisions of LB 249 and amends the Nebraska Liquor Control Act, Nebraska Statute Sections 53-101 and 53-177, to allow the Liquor Control Commission to issue a waiver on the restriction of selling alcoholic liquor within 300 feet of the campus of any college or university in the state.

The Liquor Control Commission estimates an increase in the number of retail applications and a decrease in the number of special designated license applications. The fiscal impact is estimated as an increase in revenue of \$7,160 for FY2011-12 and \$945 for FY2012-13

LB 407, as amended by AM 696, also incorporates the provisions of LB 336 and amends Nebraska Revised Statute Section 53-110, dealing with the Liquor Control Commission, to permit an employee of the commission to work part-time or on a seasonal basis with a person licensed or regulated by the commission as long as the licensee receives less than fifty percent of their revenue from alcohol sales. This permission does not apply to the executive director or a division manager and the employee must have written approval from the executive director.

The Liquor Control Commission indicates no additional cost to implement the provisions of LB 336 that are incorporated into LB 407.

There is no basis to disagree with the Liquor Control Commission's estimates of fiscal impact or cost.