

FISCAL NOTE
LEGISLATIVE FISCAL ANALYST ESTIMATE

Updated on March 23, 2016.

| ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates) | | | | |
|---|-------------------|---------|-------------------|---------|
| | FY 2016-17 | | FY 2017-18 | |
| | 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 require certain law enforcement agencies to adopt policies on the use of body-worn cameras, provide that recordings from such cameras are not public records, and prohibit certain conduct involving such recordings.

The Nebraska State Patrol estimates storage costs of \$48,000 in FY17 and \$108,000 in FY18. See the agency response following for additional details. Upon further review, it appears that this bill will not impact the agency until the third year and beyond due to the Patrol's current retention policy. The bill requires recordings from body worn cameras be retained for a minimum of six months and the Patrol's current policy is 1 year. If such data contains information pertinent to a lawsuit against the State Patrol, then such data is maintained for a period of two years under current Patrol policy. The bill requires these recording shall be retained indefinitely. Therefore, it appears that this bill will not impact the Patrol until the third year and beyond.

The Crime Commission estimates no fiscal impact from this bill.

The University of Nebraska estimates a nominal fiscal impact.

The City of Imperial estimates no fiscal impact from this bill.

The City of Omaha estimates no fiscal impact, but notes that if cameras would be required, the city would have a \$2.6 million impact to acquire and maintain the cameras. See the city's response following for additional details.

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

2016

LB⁽¹⁾ 1000

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾

Nebraska State Patrol

Prepared by: ⁽³⁾ Carol Aversman

Date Prepared: ⁽⁴⁾ 2-4-2016

Phone: ⁽⁵⁾ 402-471-4545

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

| | <u>FY 2016-17</u> | | <u>FY 2017-18</u> | |
|--------------------|---------------------|----------------|---------------------|----------------|
| | <u>EXPENDITURES</u> | <u>REVENUE</u> | <u>EXPENDITURES</u> | <u>REVENUE</u> |
| GENERAL FUNDS | \$48,000 | | \$108,000 | |
| CASH FUNDS | | | | |
| FEDERAL FUNDS | | | | |
| OTHER FUNDS | | | | |
| TOTAL FUNDS | \$48,000 | \$0 | \$108,000 | \$0 |

Explanation of Estimate:

LB 1000 requires that all recordings from body worn cameras be retained for a minimum period of six months from the date of recording, except that if a recording becomes part of a criminal or civil court proceeding or a proceeding involving disciplinary action against an employee or employees, the recording shall be retained indefinitely. The State Patrol currently owns five body worn cameras. The Agency estimates that it will increase the number of cameras worn by 100 in each fiscal year beginning in FY 2016/2017, so that eventually all of its sworn officers will be equipped with a body worn camera. Currently the Agency has a retention policy for digital media files requiring such data to be maintained for a period of 365 days, unless such data contains information pertinent to a claim or lawsuit against the State of Nebraska or the State Patrol, in which case the data is maintained for a period of two years. Because it is very difficult to predict when a recording might become part of a criminal or civil court proceeding or a disciplinary action, the Agency believes that it will need to retain at least 25% of all recordings for an indeterminate length of time in excess of one year. The estimated cost of storing 1 terabyte of recording data per year is \$200. The Agency estimates that 2.4 terabytes are recorded per year per camera/officer. Therefore, the estimated cost per year per camera/officer for storage of all recordings is estimated at \$480.

It is important to note that should LB 1000 be implemented, the cost to the Agency will increase beyond the cost noted in this Fiscal Note for each additional year that data is required to be kept. Additionally, as more officers are equipped with cameras, the amount of data storage will also increase. Based on the language in the bill, the amount of data required to be maintained will continue to grow each year, and therefore also the cost incurred, until it is determined that the data no longer needs to be retained. The Agency also estimates that if 400 of its officers were to be equipped with body worn cameras at the onset of FY 2016/2017, the first year of data storage costs would total \$192,000 and the second year would total \$240,000. Note that this Fiscal Note only reflects the cost of data storage; it does not include the cost of acquiring the cameras.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

| <u>POSITION TITLE</u> | <u>NUMBER OF POSITIONS</u> | | <u>2016-17 EXPENDITURES</u> | <u>2017-18 EXPENDITURES</u> |
|---------------------------|----------------------------|--------------|---------------------------------|---------------------------------|
| | <u>15-16</u> | <u>16-17</u> | | |
| Benefits..... | | | | |
| Operating..... | | | \$48,000 | \$108,000 |
| Travel..... | | | | |
| Capital outlay..... | | | | |
| Aid..... | | | | |
| Capital improvements..... | | | | |
| TOTAL..... | | | \$48,000 | \$108,000 |

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

2016

LB⁽¹⁾ 1000

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾

NE Crime Commission

Prepared by: ⁽³⁾ Bruce Ayers

Date Prepared: ⁽⁴⁾ 2-1-2016

Phone: ⁽⁵⁾ 402-471-0359

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

| | <u>FY 2016-17</u> | | <u>FY 2017-18</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 1000 has no fiscal impact on our agency.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

| <u>POSITION TITLE</u> | <u>NUMBER OF POSITIONS</u> | | <u>2016-17</u> | <u>2017-18</u> |
|---------------------------|----------------------------|--------------|---------------------|---------------------|
| | <u>16-17</u> | <u>17-18</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.

2016

LB⁽¹⁾ 1000

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾ University of Nebraska

Prepared by: ⁽³⁾ Michael Justus Date Prepared: ⁽⁴⁾ January 21, 2016 Phone: ⁽⁵⁾ 402-472-2191

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

| | <u>FY 2016-17</u> | | <u>FY 2017-18</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 provides requirements for peace officer body cameras. It would require expanded storage of the video for the University, but would have a nominal fiscal impact.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

| <u>POSITION TITLE</u> | <u>NUMBER OF POSITIONS</u> | | <u>2016-17 EXPENDITURES</u> | <u>2017-18 EXPENDITURES</u> |
|---------------------------|----------------------------|--------------|---------------------------------|---------------------------------|
| | <u>16-17</u> | <u>17-18</u> | | |
| Benefits..... | _____ | _____ | _____ | _____ |
| Operating..... | _____ | _____ | 10,000 | 5,000 |
| Travel..... | _____ | _____ | _____ | _____ |
| Capital outlay..... | _____ | _____ | _____ | _____ |
| Aid..... | _____ | _____ | _____ | _____ |
| Capital improvements..... | _____ | _____ | _____ | _____ |
| TOTAL..... | _____ | _____ | 10,000 | 5,000 |

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

2016

LB⁽¹⁾ 1000

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾

City of Imperial

Prepared by: ⁽³⁾ Jo Leyland

Date Prepared: ⁽⁴⁾ January 19, 2016

Phone: ⁽⁵⁾ 308-882-4368

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

| | <u>FY 2016-17</u> | | <u>FY 2017-18</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 significant fiscal impact

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

| <u>POSITION TITLE</u> | <u>NUMBER OF POSITIONS</u> | | <u>2016-17</u> | <u>2017-18</u> |
|---------------------------|----------------------------|--------------|---------------------|---------------------|
| | <u>16-17</u> | <u>17-18</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.

2016

LB⁽¹⁾ 1000

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾

City of Omaha

Prepared by: ⁽³⁾ Tyler Leimer

Date Prepared: ⁽⁴⁾ 1/26/2016

Phone: ⁽⁵⁾ 402-444-4514

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

| | <u>FY 2016-17</u> | | <u>FY 2017-18</u> | |
|---------------|---------------------|----------------|---------------------|----------------|
| | <u>EXPENDITURES</u> | <u>REVENUE</u> | <u>EXPENDITURES</u> | <u>REVENUE</u> |
| GENERAL FUNDS | \$0 | | \$0 | |
| CASH FUNDS | | | | |
| FEDERAL FUNDS | | | | |
| OTHER FUNDS | | | | |
| TOTAL FUNDS | | | | |

Explanation of Estimate: No fiscal impact at this time, however, if cameras are later mandated down the road there would be a use of general fund dollars to start up (about \$1,700,000) and maintain (about \$900,000) cameras.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

| <u>POSITION TITLE</u> | <u>NUMBER OF POSITIONS</u> | | <u>2016-17 EXPENDITURES</u> | <u>2017-18 EXPENDITURES</u> |
|---------------------------|----------------------------|--------------|---------------------------------|---------------------------------|
| | <u>16-17</u> | <u>17-18</u> | | |
| Benefits..... | | | | |
| Operating..... | | | | |
| Travel..... | | | | |
| Capital outlay..... | | | | |
| Aid..... | | | | |
| Capital improvements..... | | | | |
| TOTAL..... | | | | |