

Revised for 2016 Legislative Session

FISCAL NOTE
LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)				
	FY 2016-17		FY 2017-18	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS	120,915		70,056	
CASH FUNDS		3,500	3,500	500
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS	120,915	3,500	73,556	500

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

Updated for 2016 Legislative Session.

LB 465 is the Electronic Notary Public Act.

Section 2 provides definitions for the Act.

Section 3 through 5 establish criteria under which a person shall be eligible to register as an electronic notary public.

Section 6 requires a fifty dollar fee for registering or reregistering as an electronic notary. This fee is in addition to the fee required in section 33-102. The fees shall be remitted and credited to the Administration Cash Fund and used to administer the Act.

The Secretary of State would need to enact application programming to add eNotary registration to their current database. In addition, the Secretary of State would need to add 1.0 FTE to administer the program. This position will design, set up and oversee the program application development, processes and requirements, draft and promulgate rules and regulations, provide ongoing educational materials and training.

The Secretary of State estimates the cost of such activity to be \$120,915 in the first year and \$73,556 thereafter. There is no basis to disagree with these estimates. Revenue for the first year are estimated to be \$3,500. Renewals occur every 4 years. Revenue is based on a projected 50 applicants and 50 Certificates of Authority. The bill's provisions allow for this revenue to be applied toward program costs. Since the revenue would be realized in fiscal year 2016-17, \$3,500 of Cash Funds are being applied to expenditure costs in fiscal year 2017-18.

ADMINISTRATIVE SERVICES-STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSES			
LB: 465	AM:	AGENCY/POLT. SUB: Secretary of State	
REVIEWED BY: Robin Kilgore		DATE: 12-2-15	PHONE: 471-4180
COMMENTS: No basis to disagree with agency estimate of fiscal impact.			

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

2016

LB⁽¹⁾ 465

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾

Secretary of State

Prepared by: ⁽³⁾ Colleen Byelick

Date Prepared: ⁽⁴⁾ 11/16/2015

Phone: ⁽⁵⁾ 402-471-8076

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	<u>120,915</u>	<u></u>	<u>70,056</u>	<u></u>
CASH FUNDS	<u></u>	<u>3,500</u>	<u>3,500</u>	<u>500</u>
FEDERAL FUNDS	<u></u>	<u></u>	<u></u>	<u></u>
OTHER FUNDS	<u></u>	<u></u>	<u></u>	<u></u>
TOTAL FUNDS	<u>120,915</u>	<u>3,500</u>	<u>73,556</u>	<u>500</u>

Explanation of Estimate:

LB465 creates an Electronic Notary Public Act that will allow commissioned Notaries Public to register and be commissioned as Electronic Notaries Public in order to perform electronic notarial acts. The Act requires the use of electronic technology, has educational requirements, and requires the signer to be in the physical presence of the notary at the time the electronic notarial act is performed. The fee for registration is \$50 and the commission will match the current notary commission renewal term. The Secretary of State may charge \$20 for issuing an electronic certificate of authority.

Fiscal Impact:

There will be application programming costs to add eNotary registration to our current Notary database necessary to administer the program, track eNotary applications, track education requirements, track technology vendors and provide eNotary commission data and statistics as necessary for administering the program, to provide commission certificates and to match commission expiration dates with current the Notary commission term. The eNotary will also create additional database access and usage fees on an annual basis and are included in our fiscal note.

In order to implement and administer this program we will need one additional staff person devoted specifically to eNotary, as seen in other states have which have implemented the program. The Program Specialist will design, set up and oversee the program application development, processes and requirements, draft and promulgate rules and regulations, provide ongoing education materials and training to meet statutory requirements, work with the OCIO technology developers to define and set up programming application for eNotary registration within the current notary database, answer questions of applicants and run the program. This person will also create and maintain website materials. It is anticipated that this position will also be the liaison for associated vendors that provide eNotary technology for administration of the program.

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>
Program Specialist	1	1	45,000	45,000
Benefits.....			22,500	22,500
Operating.....			52,415	5,056
Travel.....			1,000	1,000
Capital outlay.....				
Aid.....				
Capital improvements.....				
TOTAL			120,915	73,556