PREPARED BY: DATE PREPARED: PHONE: Kathy Tenopir January 23, 2018 471-0058

LB 729

Revision: 00

FISCAL NOTE

LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)						
	FY 201		FY 2019-20			
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE		
GENERAL FUNDS	See below		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.

LB729 amends the Political Subdivision Tort Claims Act and State Tort Claims Act by deleting the exemption of "misrepresentation" and "deceit" from the Acts.

LB729 would increase the State's and the Political Subdivisions' liability exposure. Increase costs could include the cost for processing such claims, potential litigation costs and the cost of paying substantiated claims. The extent of the increase in cost cannot be determined.

The Attorney General indicates the need for an additional Assistant Attorney General position at a cost of \$106,051 General Funds for FY2018-19 and \$107,778 General Funds for FY2019-20.

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE					
LB: 729	AM:	AGENCY/POLT. SUB: Nebraska Atto	orney General (011)		
REVIEWED	BY: Joe Wilcox	DATE: 01/22/2018	PHONE: (402) 471-4178		
COMMENTS: No basis to dispute the Nebraska Attorney General estimate of potential Fiscal Impact to the Agency from LB729.					

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE						
LB: 729	AM:	AGENCY/POLT. SUB: Department o	f Administrative Services (065)			
REVIEWED	BY: Joe Wilcox	DATE: 01/16/2018	PHONE: (402) 471-4178			
COMMENTS: No basis to dispute the Nebraska Department of Administrative Services estimate of potential but Undetermined General Fund Fiscal Impact to the Agency and the State from LB 729.						

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE					
LB: 729	AM:	AGENCY/POLT. SUB: City of Lincol	ln .		
REVIEWED BY: Joe Wilcox DATE: 1/10/2018 PHONE: (402) 471-4178					
COMMENTS: No basis to dispute the City of Lincoln estimate of potential fiscal impact to the City from LB 729.					

LB 729 would require an additional 1 FTE.

LB ⁽¹⁾ 729				FISCAL NOTE
State Agency OR Po	litical Subdivision Name: (2)	Attorney General		
Prepared by: (3)Josh Shasserre		Date Prepared: (4) 1-19-18 Phone		471-2687
	ESTIMATE PROVI	DED BY STATE AGEN	ICY OR POLITICAL SUBDIV	ISION
	<u>FY 9</u>	2018-19	FY 20	19-20
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS	S106,051.	-	107,778.	
CASH FUNDS			21	
FEDERAL FUNDS	3	***		
OTHER FUNDS		<u> </u>	e:	
TOTAL FUNDS	106,051.		107,778.	
Explanation of Est	imate:			

This bill will increase the number of tort claims filed each year against the State, increase the time and cost to defend those claims, and would require the hiring of an additional Assistant Attorney General.

Personal Services:			F EXPENDITURE		
POSITION TITLE	NUMBER OF 18-19	POSITIONS 19-20	2018-19 EXPENDITURES	2019-20 EXPENDITURES	
Assistant Attorney General	1.0	1.0	75,000.	76,500.	
Benefits	· · · · · · · · · · · · · · · · · · ·	-	31,051.	31,278.	
Operating			: 		
Fravel					
Capital outlay					
Aid					
Capital improvements	3				
TOTAL			106,051.	107,778.	

TOTAL.....

LB (1)	729							FISCAL NOTE	
State Aş	gency OR	Political Su	ıbdivision Name: ⁽²⁾	Dept. of Administrative Services (DAS) - Risk Management Division					
Prepar	Prepared by: (3) Shereece Dendy-Sanders		Dat	te Prepared: ⁽⁴⁾	1/8/2017	Phone: (5)	402-471-4436		
		ES	STIMATE PROVII	DED BY	STATE AGENO	CY OR POLIT	CICAL SUBDIVISIO	<u> </u>	
			FY	2018-19)		FY 2019	-20	
			EXPENDITURES		REVENUE	EXPE	NDITURES	REVENUE	
GENE	RAL FUN	DS	See Below	_		Se	ee Below		
CASH	FUNDS			_					
FEDE	RAL FUN	DS							
OTHE	R FUNDS	3							
TOTA	L FUNDS	S		_					
Explan	ation of E	Estimate:		_					
Over the allegate written. This be deceit result, staff till litigation exclude.	he cours tion of de tion, these t ill would in any ca there wo me need on costs ed.	e of the peceit and ypes of correquire the apacity to build likely led to proand the a	ort Claims Act. past year, there hat for misrepresentable claims are specific that the State of Not include an error of be an increase indicess such claims	ve beer stion for cally exc ebraska or violat the nur s. The to ial subs	n three claims f an aggregated cluded; therefo pay for substation of policy/p mber of tort cla otal increase in tantiated claim	filed under the damount of ore, these claim rocedure, erims filed each costs for pross is unknow	e State Tort Claim \$2,000,000. As the aims were denied many related to mismaployee mistake/reh year and an incrocessing such claim as these types or	ns Act based upon the statute is currently epresentation and/or nisconduct, etc. As a rease in the amount of aims, any associated f claims are currently	
			BREAKDOV	VN BY M	IAJOR OBJECT	S OF EXPEN	NDITURE		
Person	al Service	es:							
	POSIT	TION TIT		UMBER 18-19	OF POSITION 19-20	-	2018-19 ENDITURES	2019-20 EXPENDITURES	
					_				
Benefit	s				_	_			
Operat	ing								
Travel									
Capital	outlay								
Capital	improve	ments							

TOTAL.....

LB ⁽¹⁾ 729						FISCAL NOTE
State Agency OR Political	Subdivision Name: (2)	City of Lin	coln			
Prepared by: (3) Jame	es Van Bruggen	Date Prep	oared: (4)	1/10/18	Phone: (5)	402-4418325
	ESTIMATE PROVII	DED BY STAT	E AGENCY	Y OR POLITIC	AL SUBDIVISIO	<u>ON</u>
	FY	2018-19			FY 2019	-20
	EXPENDITURES		<u>ENUE</u>	EXPEND		REVENUE
GENERAL FUNDS	30,000			30,0	000	
CASH FUNDS		-				
FEDERAL FUNDS						
OTHER FUNDS						
TOTAL FUNDS	30,000			30,0	000	
Explanation of Estimate	:					
the event one case go						
	BREAKDOV	VN BY MAJOR	OBJECTS	S OF EXPENDI	TURE	
Personal Services:	> T	IMPED OF D	CITIONS	2016		2010.20
POSITION TI		UMBER OF PO 18-19	19-20	2018 EXPEND		2019-20 EXPENDITURES
	<u> </u>					
Benefits						
Operating						
Travel						
Capital outlay						
Aid						
Capital improvements						

LB ⁽¹⁾ 729			FISCAL NOTE
State Agency OR Political Subdivision Name: (2)	City of Omaha		
Prepared by: (3) Tyler Leimer	Date Prepared: (4)	1/10/2017 Phone: (5	(402)444-4514
ESTIMATE PROVI	DED BY STATE AGENO	CY OR POLITICAL SUBDIVIS	ION
EX	7 20 18-19	FY 201	0.40
<u>EXPENDITURE</u>		EXPENDITURES	REVENUE
GENERAL FUNDS			
CASH FUNDS			
FEDERAL FUNDS			
OTHER FUNDS			
TOTAL FUNDS		-	
Explanation of Estimate: No fiscal impact			
BREAKDO Personal Services:	WN BY MAJOR OBJECT	TS OF EXPENDITURE	
	NUMBER OF POSITION	S 2018-19	2019-20
POSITION TITLE	<u>18-19</u> <u>19-20</u>	EXPENDITURES	<u>EXPENDITURES</u>
		-	
Benefits		-	
Operating			
Travel			
Capital outlay			
Aid			
Capital improvements			
TOTAL			