PREPARED BY: Doug Nichols DATE PREPARED: July 30, 2020 PHONE: 402-471-0052

**LB 1222** 

Revision: 01

# **FISCAL NOTE**

Updated for an additional response received.

LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)						
	FY 2020-21		FY 20	21-22		
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE		
GENERAL FUNDS						
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 adopt the Municipal Police Oversight Act. On or before January 1, 2021, each city which employs full-time police officers would be required to appoint a Citizen Police Oversight Board to monitor, investigate, and evaluate police standards and practices.

A city shall provide the oversight board created with sufficient funding and resources to adequately perform its duties under the Municipal Police Oversight Act. The oversight board shall employ dedicated staff investigators, none of whom shall have previously been affiliated with or employed by any law enforcement agency.

Each oversight board and the investigators employed by the oversight board shall be empowered by ordinance with the full range of investigative powers necessary to enable such board and investigators to conduct fair, independent, and effective investigations.

To the extent applicable, each oversight board and the investigators employed by an oversight board shall, in evaluating matters under investigation or review by the oversight board, consult relevant standards promulgated by the Nebraska Commission on Law Enforcement and Criminal Justice and the Nebraska Police Standards Advisory Council.

The Crime Commission estimates no fiscal impact from this bill.

The bill imposes additional duties on cities as follows: "each city shall create a citizen police oversight board ... a city shall provide the oversight board created in such city with sufficient funding and resources to adequately perform its duties ... The oversight board shall employ dedicated staff investigators". This could result in additional costs to cities, as noted below.

The city of Omaha estimates expenditures of \$775,000 per year for a 9 person department. This estimate includes employee earnings, benefits, and expenses such as legal fees and subpoenas.

The city of Lincoln estimates costs of \$150,000. This amount includes the salary and benefit costs for full-time employee, and costs for administration, training, and supplies. Lincoln notes that additional costs could include office space requirements, transportation, and other operating costs.

The city of La Vista estimates costs of \$294,262 in FY22 and \$268,371 in FY23. These costs are for a secretary and investigator, benefits, operating costs (rent and utilities), travel, and capital outlay.

The city of Plattsmouth estimates annual expenditures of \$134,515 for wages, benefits, training costs, expenses, office supplies, and legal counsel costs. These costs are for an investigator and 7 board members.

The city of Papillion estimates costs of \$320,114 in FY21 and \$294,136 in FY22 for the following items: Secretary III, Investigator, benefits, rent, utilities, vehicle, operating costs, legal costs for the board and employees, and one-time capital outlay costs.

The city of Chadron estimates costs of \$236,400 in FY21 and \$242,310 in FY22 for the following items: Investigators (1,040 hours per year at \$200 per hour), office supplies, publications, legal expenses, and other materials. Chadron estimates a 2.5% increase in costs for FY22.

(Continued)

The city of Hastings estimates annual costs of \$400,000 for the compensation and training of the 7 board members, and salaries and benefits for 2 investigators, vehicles, offices, crime scene and other equipment, and training.

The city of Columbus estimates costs of \$291,542 in FY21 and \$264,178 in FY22 for the following items: 2 detectives, benefits, two vehicles, vehicle maintenance, fuel, vehicle insurance, workers compensation insurance, training, tuition, uniforms, computer support, supplies, personal protective equipment, and phones.

The city of Gering estimates costs of \$504,000 for a 0.5 FTE legal labor consultant and a 0.5 FTE for an investigator. Gering notes that these costs do not include costs for training, travel, lodging, meals, publications, and clerical expenses.

See the attached responses of all the cities for additional details not included in this fiscal note.

#### ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE

LB: 1222 AM: AGENCY/POLT. SUB: Nebraska Commission on Law Enforcement and Criminal Justice (078)

REVIEWED BY: Joe Wilcox DATE: 7/27/2020 PHONE: (402) 471-4178

COMMENTS: No basis to disagree with the Nebraska Commission on Law Enforcement and Criminal Justice estimate of No Fiscal Impact to the Agency from LB 1222.

## ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE

LB: 1222 AM: AGENCY/POLT. SUB: City of Omaha

REVIEWED BY: Joe Wilcox DATE: 7/28/2020 PHONE: (402) 471-4178

COMMENTS: No basis to disagree with the City of Omaha estimate of potential Fiscal Impact to the City from LB 1222.

### ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE

LB: 1222 AM: AGENCY/POLT. SUB: City of Lincoln

REVIEWED BY: Joe Wilcox DATE: 7/28/2020 PHONE: (402) 471-4178

COMMENTS: No basis to disagree with the City of Lincoln estimate of potential Fiscal Impact to the City from LB 1222.

## ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE

LB: 1222 AM: AGENCY/POLT. SUB: City of La Vista

REVIEWED BY: Joe Wilcox DATE: 7/28/2020 PHONE: (402) 471-4178

COMMENTS: No basis to disagree with the City of La Vista estimate of potential Fiscal Impact to the City from LB 1222.

#### ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE

LB: 1222 AM: AGENCY/POLT. SUB: City of Plattsmouth

REVIEWED BY: Joe Wilcox DATE: 7/29/2020 PHONE: (402) 471-4178

COMMENTS: No basis to disagree with the City of Plattsmouth estimate of potential Fiscal Impact to the City from LB 1222.

#### ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT, SUB, RESPONSE

LB: 1222 AM: AGENCY/POLT. SUB: City of Papillion

REVIEWED BY: Joe Wilcox DATE: 7/29/2020 PHONE: (402) 471-4178

COMMENTS: No basis to disagree with the City of Papillion estimate of potential Fiscal Impact to the City from LB 1222.

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE						
LB: 1222 AM:	222 AM: AGENCY/POLT. SUB: City of Chadron					
REVIEWED BY: Joe Wilcox	DATE: 7/29/2020	PHONE: (402) 471-4178				
COMMENTS: No basis to disagree with the City of Chadron estimate of potential Fiscal Impact to the City from LB 1222.						

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE					
LB: 1222 AM:	AGENCY/POLT. SUB: City of Hastings				
REVIEWED BY: Joe Wilcox	DATE: 7/29/2020	PHONE: (402) 471-4178			
COMMENTS: No basis to disagree with the City of Hastings estimate of potential Fiscal Impact to the City from LB 1222.					

ADMINISTRATIVE SERVICES	STATE BUDGET DIVISION: REVIEW OF	AGENCY & POLT. SUB. RESPONSE			
LB: 1222 AM:	AGENCY/POLT. SUB: C	ity of Columbus			
REVIEWED BY: Joe Wilcox	DATE: 7/30/2020	PHONE: (402) 471-4178			
COMMENTS: No basis to disagree with the City of Columbus estimate of potential Fiscal Impact to the City from LB 1222.					

LB <sup>(1)</sup> 1222					FISC	CAL NOTE
State Agency OR Political S	Subdivision Name: (2	NE Co	mmission on L	aw Enf and Crim	inal Justice	
Prepared by: (3) Bruce	Ayers	Date	Prepared: (4) 7-	23-2020 Ph	none: (5) 402	-471-0359
	ESTIMATE PROV	VIDED BY S	STATE AGENCY	OR POLITICAL SU	BDIVISION	
	EX	Z <b>2020-2</b> 1		ī	FY 2021-22	
	EXPENDITURE		<u>REVENUE</u>	EXPENDITURES		<u>EVENUE</u>
GENERAL FUNDS		_				
CASH FUNDS						
FEDERAL FUNDS		<u></u>				
OTHER FUNDS						
TOTAL FUNDS	0	_	0	0		0
<b>Explanation of Estimate</b>	We don't anticin		al impact from LF			
Explanation of Estimate	we don't anticip	ace any rise	ar impact irom Li	1222.		
	<u>BREAKDO</u>	WN BY MA	JOR OBJECTS C	F EXPENDITURE		
Personal Services:	<u> </u>	NUMBER O	F POSITIONS	2020-21		2021-22
POSITION TI		<u>20-21</u>	<u>21-22</u>	<b>EXPENDITURE</b>	<u>EXP</u>	<u>ENDITURES</u>
n						
Benefits						
Operating						
Travel						
Capital outlay						
Aid						
Capital improvements						
TOTAL					_	

LB <sup>(1)</sup> 1222						FISCAL NOTE
State Agency OR Political	Subdivision Name: <sup>(2)</sup>	City o	f Omaha			
Prepared by: (3) Tyler	Leimer	Date	e Prepared: <sup>(4)</sup>	7/27/2020	Phone: (5)	402-444-4514
	ESTIMATE PROV	IDED BY	STATE AGEN	NCY OR POLIT	ΓICAL SUBDIVIS	ION
	FV	2020-21			FY <b>202</b> 1	-00
	EXPENDITURES		<u>REVENUE</u>	EXPEN	DITURES	REVENUE
GENERAL FUNDS	775,000			77	5,000	
CASH FUNDS						
FEDERAL FUNDS						
OTHER FUNDS						
TOTAL FUNDS						
Personal Services:	BREAKDOY	<u>VN BY M</u>	AJOR OBJECT	<u>rs of expeni</u>	<u>DITURE</u>	
POSITION TI		UMBER ( <u>20-21</u>	OF POSITION <u>21-22</u> -		20-21 IDITURES	2021-22 EXPENDITURES
Benefits				<u> </u>		
Operating						
Travel						
Capital outlay						
Aid						
Capital improvements						
TOTAL						

LB <sup>(1)</sup> 1222				FISCAL NOTE
State Agency OR Political Subdivision Name:	City of	Lincoln		
Prepared by: (3) James Van Bruggen	Date	e Prepared: (4)	7/28/20 Pho	one: (5) 402-441-8301
ESTIMATE PRO	OVIDED BY	STATE AGENO	CY OR POLITICAL SUB	BDIVISION
<u>EXPENDITUR</u>	FY 2020-21 RES	REVENUE	<u>FY</u> <u>EXPENDITURES</u>	<u>Y 2021-22</u> <u>REVENUE</u>
GENERAL FUNDS				
CASH FUNDS	_	_		
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS				
required for initial and and other operating costs determine how LB1222 imparstatutes.	. Furth	ermore, cl	arification wo	uld be needed to
Personal Services:			OF EXIENDITURE	
POSITION TITLE	20-21	OF POSITIONS <u>21-22</u>	2020-21 EXPENDITURES	2021-22 EXPENDITURES
Benefits				
Operating				
Travel				
Capital outlay	,			
Aid				
Capital improvements				
TOTAL				

LB <u>1222</u>			F	iscal Note	
State Agency OR Poli	tical Subdivision Na	ame: <u>Ci</u>	ity of La Vist	<u>:a</u>	
Prepared by <u>Bob Lau</u>	sten Date Prep	ared: <u>July 27,</u>	2020	Phone: <u>402-331-1</u>	582
<b>ESTIMATE</b>	PROVIDED BY	STATE AGI	ENCY OR	POLITICAL SUB	DIVSION
	FY 2021-	<u> 2022</u>		FY 2022-202	<u>3</u>
	EXPENDITURES	REVENUE		<u>EXPENDITURES</u>	REVENUE
GENERAL FUNDS	\$294,262	0		\$268,371	0
CASH FUNDS					
FEDERAL FUNDS			-		
OTHER FUNDS			-		
TOTAL FUNDS	\$294,262	0	-	\$268,371	0
Explanation of Estima	ate:				
The estimated fiscal is staff for the Citizen Prent/utilities and asse	olice Oversight Boa	ard (as defined	in LB 1222)	. Additional cost will i	
	BREAKDOV	VN BY MAJOR OB	JECTS OF EXP	<u>ENDITURE</u>	
Personal Services/Ope	rational Expenses: _				
POSITION TITLE Secretary Investigator	Number of Position         21-22       22-23         1.0       1.0         1.0       1.0	EXPI \$	021-2022 ENDITURES 641,600 670,000	2022-2023 EXPENDITURES \$43,056 \$72,450	_
Benefits Operating Travel Capital outlay Aid		\$ \$	336,062 3115,600 31,000 330,000	\$37,850 \$113,015 \$1,000 \$1,000	

\$294,262

Total.....

\$268,371

TOTAL.....

<b>LB</b> <sup>(1)</sup>	1222						FISCAL NOTE
State A	gency OR I	Political Subdivision Name: (	Platts	mouth, City	of		
Prepar	red by: (3)	Ervin Portis	Date	e Prepared: <sup>(4)</sup>	July 28, 2020	_ Phone: (5)	402 296 2522
		ESTIMATE PRO	VIDED BY	STATE AGEN	NCY OR POLITICA	L SUBDIVIS	ION
			Y 2020-21			FY 2021	
		EXPENDITUR	<u>ES</u>	<u>REVENUE</u>	EXPENDIT	<u>URES</u>	<u>REVENUE</u>
GENE	RAL FUN	DS \$134,515			\$134,51	5	
CASH	FUNDS		<u> </u>		_		
FEDE	RAL FUNI	DS			_		
ОТНЕ	R FUNDS		<u></u>				
ТОТА	L FUNDS	\$134,515	_		\$134,51	5	
Explan	nation of E	stimate:					
Dangan	nal Services		OWN BY M.	AJOR OBJECT	TS OF EXPENDITU	<u>JRE</u>	
<u>r erson</u>	iai services		NUMBER (	OF POSITION	S 2020-2	1	2021-22
	POSIT	ION TITLE	20-21	<u>21-22</u>	<u>EXPENDIT</u>	<u>URES</u>	<u>EXPENDITURES</u>
Benefi	ts						
						<del></del>	
					·		
Capita	l improver	nents			<u></u>		

LB <u>1222</u>			Fiscal Note	
State Agency OR Pol	itical Subdivision Na	ame: <u>City o</u>	f Papillion	
Prepared by <u>Amber I</u>	Powers Date Prep	ared: _July 27, 2020	<u>0</u> Phone: <u>402-</u>	597-2062
<b>ESTIMATE</b>	PROVIDED BY	STATE AGENO	CY OR POLITICAL	SUBDIVSION
	FY 2020-	<u> 2021</u>	<u>FY 202.</u>	<u>1-2022</u>
	EXPENDITURES	REVENUE	<u>EXPENDITURES</u>	REVENUE
GENERAL FUNDS	\$320,114	0	\$294,136	<u> </u>
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS	\$320,114	0	\$294,136	0
Explanation of Estim	ate:			
investigator and one Additional cost will in	clerical staff for the nclude rent/utilities	e Citizen Police Ove s, vehicle, and assoc	re includes cost associants includes cost associants and less and less costs based on one-face or costs or cost	d in LB 1222). egal cost for the board
	<u>BREAKDO\</u>	NN BY MAJOR OBJECTS	S OF EXPENDITURE	
Personal Services/Ope	rational Expenses: _			
POSITION TITLE Secretary III Investigator	Number of Position         21-22       22-23         1.0       1.0         1.0       1.0	2021-2 EXPENDI \$42,1 \$64,3	TURES EXPENDI <sup>*</sup> 62\$42,1	TURES 62
Benefits Operating Travel Capital outlay		\$69,90 \$118,  \$25,0	650 \$112, 	<del></del>

\$320,114

\$294,136

Aid

Total.....

\$242,310

\$236,400

TOTAL.....

LB <sup>(1)</sup> 1	222					FISCAL NOTE
State Agency	y OR Political S	Subdivision Name: <sup>(2)</sup>	City of Chadron			
Prepared by	y: <sup>(3)</sup> Grego Manaç	ory Yanker (City ger)	Date Prepared: (4)	7-28-2020	Phone: (5)	308-432-0505
		ESTIMATE PROVI	DED BY STATE AGEN	NCY OR POLITIC	AL SUBDIVIS	ION
		<u>FY</u> :	<u>2020-21</u>		FY 2021	<u>-22</u>
		<b>EXPENDITURES</b>	<u>REVENUE</u>	<u>EXPENDI'</u>	<u> TURES</u>	REVENUE
GENERAL	FUNDS	236,400	0	242,3	10	0
CASH FUN	DS					
FEDERAL	FUNDS			<u> </u>		
OTHER FU	JNDS					
TOTAL FU	JNDS					
Operating Office Sup Publication Legal Exp	pplies – \$100 ns (Open Me	per month = \$120 eetings Act Require nours per month @	owing breakdown for 00 ements) - \$100 per mo 200 per hour = \$24,0	onth = \$1200	•	
Total Ope	rating Cost =	\$28,400				
provide ind Total num Hours Per Billable Ho	ors – Assumo dependent th ber Investiga Week = 10 ourly Rate = 5	nird party investiga ators = 2 hours per investig \$200 per hour	on involved in criminal tions outside the "em ator per week = 20 ho	oloyment" of the	City but empl	oyed by "board".
Total Pers	onnel Cost =	= 208,000				
Total Cost	i = 236,400 (	Assume 2.5% inci	ease to all cost for FY	<b>′</b> 21/22)		
Personal Se	omzicos:	BREAKDOW	N BY MAJOR OBJECT	S OF EXPENDIT	<u>CURE</u>	
	OSITION TI		UMBER OF POSITIONS 20-21 21-22	S 2020- EXPENDI		2021-22 EXPENDITURES
Investigato	r – Contract S	ervices		208,0	00	213,200
				28,40	00	29,110
Travel						

Please complete	ALL (5) blanks in the first thr	ee lines.		2020
LB <sup>(1)</sup> 1222				FISCAL NOTE
State Agency OR I	Political Subdivision Name: (2)	City of Hastings		
Prepared by: (3)	Adam Story	Date Prepared: (4)	07-28-2020 Phone: (5)	402 461-2380
	ESTIMATE PROVI	DED BY STATE AGEN	ICY OR POLITICAL SUBDIVIS	ION
	<u>FY</u> <u>EXPENDITURES</u>	2020-21 <u>REVENUE</u>	FY 2021 EXPENDITURES	<u>-22</u> <u>REVENUE</u>
GENERAL FUN	DS \$400.000.00		\$400,000.00	
CASH FUNDS			<del></del>	
FEDERAL FUNI	OS		<u> </u>	
OTHER FUNDS			<u> </u>	
TOTAL FUNDS	\$400,000.00		\$400,000.00	
or lower than my board would need board to conduct states they opera equipment to per The bill states the adequately performance	estimate. Expenses would a critical training to fulfil the investigations. These staff te independently of the poliform their function. This in the city shall provide the overmits duties.	include compensation for leir positions and compe would need wages, bence ce department and woul acluded very expensive or rsight board created in s	penses and these are estimates. To a board of seven people to inclussation. Dedicated staff investign efits, vehicles, offices, equipment d have to secure necessary trainications scene equipment, which talk such city with sufficient funding d create a significant financial in	ude training. This gators working for the tand training. It ng and dedicated kes dedicated training. and resources to
Hastings.	J	,	5	ı ,

Personal Services:	<u>OWN BY MA.</u>	JOR OBJECTS O	F EXPENDITURE	
POSITION TITLE	NUMBER OF POSITIONS 20-21 21-22		2020-21 EXPENDITURES	2021-22 EXPENDITURE
Board of Seven Citizens	7	7	\$105,000.00	\$105,000.00
Investigators	2	2	\$130,000.00	\$130,000.00
Benefits			\$70,000.00	\$70,000.00
Operating			\$95,000.00	\$95,000.00
Travel				
Capital outlay				
Aid				
Capital improvements				
TOTAL			\$400,000.00	\$400,000.00

LB <sup>(1)</sup> 1222				FISCAL NOTE
State Agency OR Political	Subdivision Name: (2)	City of Columbus		
Prepared by: (3) Heath	ner Lindsley	Date Prepared: (4)	7/29/2020 Phone: (5	402-562-4229
	ESTIMATE PROVI	DED BY STATE AGEN	NCY OR POLITICAL SUBDIV	ISION
		2020-21	FY 202	21 00
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS	291,542		264,178	
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS	291,542		264,178	

## **Explanation of Estimate:**

We are estimating two full time people, in order to make sure there is coverage during vacations, illnesses etc. Salaries and benefits would be the highest expenses. We would need to purchase two vehicles to accommodate the two positions. Operating expenses would consist of workers comp and vehicle insurance, training and tuition, uniforms, computer support, vehicle maintenance, supplies, office supplies, fuel, personal protective equipment and phones.

BREAKI	OOWN BY MA.	JOR OBJECTS O	F EXPENDITURE	_
Personal Services:				
	NUMBER OF POSITIONS		2020-21	2021-22
POSITION TITLE	<u>20-21</u>	<u>21-22</u>	<u>EXPENDITURES</u>	<b>EXPENDITURES</b>
Detective	2	2	152,678	157,258
Benefits			69,864	71,960
Operating			32,000	32,960
Travel			2,000	2,000
Capital outlay	· <b></b>		70,000	
Aid				
Capital improvements				
TOTAL			291,542	264,178

LB <sup>(1)</sup> 1222					FISCAL NOTE	
State Agency OR Political Subdivision Name: (2)	City of Gering					
Prepared by: (3) Finance	Date P	repared: (4)	7-30-20	Phone: (5)	308-436-6800	
ESTIMATE PROV	IDED BY ST	TATE AGEN	CY OR POLITI	CAL SUBDIVI	SION	
FY	2020-21			FY 202	1-99	
EXPENDITURES		REVENUE	EXPENDIT		REVENUE	
GENERAL FUNDS \$504,400*						
CASH FUNDS						
FEDERAL FUNDS						
OTHER FUNDS						
TOTAL FUNDS \$504,000						
Explanation of Estimate:	-a a			<del></del>		
Training for committee members Travel, lodging, meal expense for Publications for meetings, expens  This is 19.5% of the City's FY21 estin City's general fund FY21 estimated e expected minimum.	e for clerica mated exp	al to record enditures	budget for the			
RREAKDON	N RY MAIO	OR ORIFCT	S OF EXPENDI	TURE	-	
Personal Services:				TORL		
POSITION TITLE	UMBER OF 20-21	POSITIONS	S 2020 EXPEND		2021-22 EXPENDITURES	
Benefits						
Operating			3			
Travel						
Capital outlay						
Aid						