

Updated to reflect amendments adopted through February 12, 2019

FISCAL NOTE
LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)				
	FY 2019-20		FY 2020-21	
	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.

LB 42, as amended, requires a condominium statement listing the name of the administrative body and the names and addresses of individuals who are members of an administrative body or association that governs a condominium property regime (as defined under the Condominium Property Act) or condominium (as defined under the Nebraska Condominium Act) to be filed with the register of deeds in the county in which the condominium is located on or before December 31 each year.

Lancaster County has provided a revised fiscal note (see attached) indicating potential revenue (\$2000/year) from fees the register of deeds is presumed to be able to charge. The county indicated there would not be a material impact on expenditures. Douglas County has also provided a revised fiscal note indicating revenue would be anticipated based upon the authority under R.R.S. 33-109 which sets and authorizes the charging of fees by the register of deeds. The estimated revenue is \$1,780 annually based on the 178 existing condominiums in Douglas County. No expenditures are expected by Douglas County as the language regarding the filing fees has been stricken.

With regard to the county level fiscal impact, there are other items that make it difficult to derive what the total fiscal impact may be:

- The total number of administrative bodies or associations that would be required to make the filing is unknown.
- It appears an enforcement mechanism is absent resulting in an inability to determine the number of filings that would actually take place.

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE			
LB: 42	AM: 67	AGENCY/POLT. SUB: Lancaster County Assessor/Register of Deeds	
REVIEWED BY: Ann Linneman	DATE: 1-31-19	PHONE: (402) 471-4180	
COMMENTS: No basis to disagree with the Lancaster County Assessor/Register of Deeds' assessment of minimal fiscal impact.			

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE			
LB: 42	AM: 67	AGENCY/POLT. SUB: Douglas County	
REVIEWED BY: Ann Linneman	DATE: 2-12-19	PHONE: (402) 471-4180	
COMMENTS: No basis to disagree with Douglas County's assessment of fiscal impact.			

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

2019

LB⁽¹⁾ 42 w/AM67

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾ Lancaster County Assessor/Register of Deeds

Prepared by: ⁽³⁾ Scott Gaines Date Prepared: ⁽⁴⁾ 1/31/19 Phone: ⁽⁵⁾ 402-441-6580

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2019-20</u>		<u>FY 2020-21</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	_____	\$2,000	_____	\$2,000
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
TOTAL FUNDS	<u>0</u>	<u>\$2,000</u>	<u>_____</u>	<u>\$2,000</u>

Explanation of Estimate:

LB42 w/AM67 would not have a material impact on expenditures in Lancaster County. There would be an increase in filing fees received in the Register of Deeds Office, very roughly estimated at \$2,000 per year.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2019-20</u>	<u>2020-21</u>
	<u>19-20</u>	<u>20-21</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	_____	_____	_____	_____

LB⁽¹⁾ 42 AM67

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾ Douglas County

Prepared by: ⁽³⁾ Diane L. Battiato

Date Prepared: ⁽⁴⁾ 2-11-2019

Phone: ⁽⁵⁾ 402-444-7457

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2019-20</u>		<u>FY 2020-21</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	\$0 (?)	\$1,335.00	\$0(?)	\$1,335.00 (est)
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
*(Technology Fund)		\$445.00		\$445.00 (est)
TOTAL FUNDS	\$0 (?)	\$1,780.00	\$0 (?)	\$1,780.00 (est)

Explanation of Estimate: Based upon 178 existing condominiums and assuming a one page document to be recorded

The Register of Deeds office has statute-required filing fees for all documents recorded in the official record-keeping office. Should LB42 pass, the recording fees for these documents should be structured under those same requirements and NOT with a "no more than \$25.00" fee.

Current filing fees:

First page (requires a 3" x 8 1/2" blank space across the top of the first page): \$10.00

Each subsequent page: \$6.00 per page

If there is no proper blank space across the top of the first page, a cover sheet will be added, and an additional \$6.00 is required.

**\$2.50 of the \$10.00 first-page fee and \$.50 of each \$6.00 subsequent-page fees are designated to the register of deeds office's technology fund.

Future revenue is dependent upon new condominiums being created.

Reason for (?) in expenditure sections: If anything other than the current filing-fee structure is mandated, there would at least need to be a definite fee (\$25.00 and not "up to \$25.00") Additional programming would need to be completed for this change in fee structure for ONE document type, no matter how many pages. Also, there would need to be a determination made as to the split of the fee between the general fund and the technology fund. Also, how would this be clear in an audit?

In the initial drafting and communication of LB42, it was discussed, and I thought decided on, to "follow" the filing fee requirements of the register of deeds office. If that were done, there would be no issue.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2019-20 EXPENDITURES</u>	<u>2020-21 EXPENDITURES</u>
	<u>19-20</u>	<u>20-21</u>		
Benefits.....				
Operating.....				
Travel.....				
Capital outlay.....				
Aid.....				
Capital improvements.....				
TOTAL.....				