

PREPARED BY: Liz Hruska
 DATE PREPARED: December 10, 2019
 PHONE: 402-471-0053

LB 627

Revision: 01

Updated for the 2020 Session

FISCAL NOTE
LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)				
	FY 2020-21		FY 2021-22	
	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 prohibits discrimination based on sexual orientation and gender identity. Enforcement would be through the Equal Opportunity Commission (EOC).

The number of additional cases is unknown. The Nebraska Equal Opportunity Commission has received an average of ten cases a year based on sexual orientation and gender equity. Those charges are referred to the federal Equal Employment Opportunity Commission based on their work sharing agreement. The NEOC is paid \$80 per case. Including sexual orientation and gender identity in state law will increase the amount to \$800 per case. Based on the average of ten per year, federal funds would increase by \$7,200 annually. Because funding is based on prior year cases, the increase would not occur until FY 2023. The amount would vary. At the current level of filings, no additional resources are need by the agency. However, if the caseload increase is substantial, there would be a backlog approximately equal to the number of additional cases filed, if and until additional resources are provided.

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE			
LB: 627 - Updated	AM:	AGENCY/POLT. SUB: Nebraska Equal Opportunity Commission (067)	
REVIEWED BY: Joe Wilcox	DATE: 12/10/2019	PHONE: (402) 471-4178	
COMMENTS: No basis to dispute the Nebraska Equal Opportunity Commission (NEOC) updated estimate of potential fiscal impact to the Agency from LB 627.			

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

2020

LB⁽¹⁾ 627

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾ Nebr Equal Opportunity Comm

Prepared by: ⁽³⁾ Kathleen Bogenreif Date Prepared: ⁽⁴⁾ 12-9-19 Phone: ⁽⁵⁾ 402-471-4061

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2020-21</u>		<u>FY 2021-22</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:

During the last 3 fiscal years the NEOC has taken a total of 35 charges which include the bases of gender identity and sexual orientation, which is an average of 10 cases per year. When we receive a charge which includes one or more of these bases for which we do not have jurisdiction, the charge is referred to the EEOC for investigation as per our work sharing agreement. The NEOC then accepts the EEOC investigation and determination on these cases. The NEOC is paid \$80 per case for the cases we file, but do not investigate. If these bases are added to the Fair Employment Practice Act, the NEOC would have the opportunity to be paid \$800 per case when EEOC accepts our investigation and determination. The EEOC contract is based on case completions from the prior year so the agency would not see any possible increase in funds until FY 22-23. Based on this average the NEOC may be eligible for an additional \$7,900 from the EEOC beginning with the contract covering federal fiscal year 22-23. This is dependent on the mix of cases completed.

The amount of the federal EEOC funds received is based on the actual number of dual-filed cases contracted for and completed, and on the amount of funding the EEOC has available for this purpose. Although the NEOC may have the opportunity to contract for additional cases, the number of cases the agency completes may not increase to take advantage of the added funding if there is no increase in the number of investigators available to process cases.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2020-21</u>	<u>2021-22</u>
	<u>20-21</u>	<u>21-22</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	_____	_____	_____	_____