

PREPARED BY: Liz Hruska  
 DATE PREPARED: December 16, 2021  
 PHONE: 402-471-0053

Updated for the 2022 Session

**FISCAL NOTE**  
**LEGISLATIVE FISCAL ANALYST ESTIMATE**

<b>ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)</b>				
	<b>FY 2022-23</b>		<b>FY 2023-24</b>	
	<b>EXPENDITURES</b>	<b>REVENUE</b>	<b>EXPENDITURES</b>	<b>REVENUE</b>
GENERAL FUNDS	\$11,209 to \$34,301		\$11,209 to \$34,301	
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
<b>TOTAL FUNDS</b>	\$11,209 to \$34,301		\$11,209 to \$34,301	

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

This bill updates the state’s adoption statutes. It incorporates and defines all categories of fathers identified by the Supreme Court in case law and increases the time for a putative father to file an objection to an adoption.

The Supreme Court will have minor expenses related to judicial education which will be handled within their existing resources. The Department of Health and Human Services estimates this could delay the adoption of some children in the child welfare system. The delay on average could be between five to 15 days. The average daily rate for foster care is \$30.49. The department estimates that up to 75 children per year could experience delays. The range of additional costs is \$11,209 up to \$34,301 annually.

<b>ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY &amp; POLT. SUB. RESPONSE</b>			
LB: 245	AM:	AGENCY/POLT. SUB: Nebraska Supreme Court	
REVIEWED BY: Ann Linneman	DATE: 12-13-2021	PHONE: (402) 471-4180	
COMMENTS: No basis to disagree with the Nebraska Supreme Court’s assessment of fiscal impact.			

<b>ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY &amp; POLT. SUB. RESPONSE</b>			
LB: 245	AM:	AGENCY/POLT. SUB: Nebraska Department of Health and Human Services	
REVIEWED BY: Ann Linneman	DATE: 12-13-2021	PHONE: (402) 471-4180	
COMMENTS: No basis to disagree with the Nebraska Department of Health & Human Services’ assessment of fiscal impact.			

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

**2022**

**LB<sup>(1)</sup> 245**

**FISCAL NOTE**

State Agency OR Political Subdivision Name: <sup>(2)</sup> 05 Supreme Court

Prepared by: <sup>(3)</sup> Eric Asboe Date Prepared: <sup>(4)</sup> 12/2/2021 Phone: <sup>(5)</sup> 402-326-9215

**ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION**

	<u>FY 2022-23</u>		<u>FY 2023-24</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:**

Minimal fiscal impact to provide education for judges and court staff. LB245, as introduced, streamlines some court adoption procedures, however the Impact on judicial workload is not estimated to be significant. No additional resources required.

**BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE**

**Personal Services:**

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2022-23</u>	<u>2023-24</u>
	<u>22-23</u>	<u>23-24</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	_____	_____	_____	_____

**ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION**

State Agency or Political Subdivision Name:(2) Department of Health and Human Services

Prepared by: (3) John Meals

Date Prepared 12-10-21

Phone: (5) 471-6719

	<u>FY 2022-2023</u>		<u>FY 2023-2024</u>	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
<b>GENERAL FUNDS</b>	\$33,626		\$34,301	
<b>CASH FUNDS</b>				
<b>FEDERAL FUNDS</b>				
<b>OTHER FUNDS</b>				
<b>TOTAL FUNDS</b>	\$33,626	\$0	\$34,301	\$0

Return by date specified or 72 hours prior to public hearing, whichever is earlier.

**Explanation of Estimate:**

LB 245 extends the timeframe for objection to adoption. Department staff workload for cases involving children who are born out of wedlock may increase. An estimate of 75 youth per year could have a delay in permanency because of the father’s identity being unknown at the time adoption filings are submitted. The delay in the date of the adoption hearing would result in the child remaining in the Department’s care five to fifteen additional days. The average rate of \$29.89 per day for 75 youth could increase state maintenance payments \$11,209 for five additional days up to \$33,626 for fifteen additional days for SFY 2023. The average rate of \$30.49 per day for 75 youth could increase state maintenance payments \$11,434 for five additional days up to \$34,301 for fifteen additional days for SFY 2024. The increase in expenditures will be funded through Program 354, Child Welfare Aid general funds.

The bill also replaces the term biological father with putative father in the Department’s registry.

**MAJOR OBJECTS OF EXPENDITURE**

PERSONAL SERVICES:	POSITION TITLE	NUMBER OF POSITIONS		2022-2023	2023-2024
		22-23	23-24	EXPENDITURES	EXPENDITURES
Benefits.....					
Operating.....					
Travel.....					
Capital Outlay.....				\$33,626	\$34,301
Aid.....					
Capital Improvements.....					
<b>TOTAL.....</b>				<b>\$33,626</b>	<b>\$34,301</b>