

Revised to reflect AM 1525, 1660, 1993, 1994, 1995

FISCAL NOTE
LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)				
	FY 2023-24		FY 2024-25	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS	\$0		\$250,000	
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS	\$0		\$250,000	

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

AM 1995 amends LB 157 as follows:

AM 1995 integrates LB 240 and adds language so that the provision states that a court cannot change a court's decision regarding a juvenile's probation or supervision unless the juvenile has broken a rule of their probation or court order. Changes can only occur following specific procedures. However, upon the juvenile's request and if all involved parties agree, the court may adjust the probation terms or court's decision. This can happen only if the juvenile has either discussed with a lawyer or consciously decided not to use one, following specific guidelines.

AM 1994 amends LB 157 as follows:

AM 1994 proposes a change to Section 25-21,273 from LB 183. It allows someone asking for a name change, referred to as a petitioner, to continue with their request without having to pay the usual costs and fees if the District Court grants permission.

AM 1993 amends LB 157 as follows:

AM 1993 proposes changes to § 42-924 from LB 11, focusing on the language around ownership and control of household pets. The amendment would change the wording from "directing the care, custody, or control" of a pet to the "sole possession" of a pet. Furthermore, it would also give courts the power to issue an injunction or a legal order against the respondent, who is often the person accused or convicted of a crime. This injunction would prevent the respondent from coming into contact with, causing harm to, or killing a pet that they own.

AM 1600 amends LB 157 as follows:

AM 1600 incorporates the modifications that were made to medical lien provisions in LB 480. Specifically, it updates Section 52-401 to include emergency medical service providers in the list of entities that can place a medical lien.

AM 1525 amends LB 157 as follows:

AM 1525 changes the original parts of LB 157 and adds new parts from LB 315.

Part 1: Health care providers, emergency medical services, labs, or pharmacies that provide medical services related to the examination or treatment of injuries from sexual assault, domestic assault, or child abuse:

- Can't send a bill for these services to a collection agency or lawyer to collect from the victim or the victim's guardian or family
- Can't share information about these services and payment status in a way that could harm the victim's or their guardian's or family's credit score
- Can't take any other action that could harm the victim or their guardian or family because of providing these services.

However, this doesn't stop these entities from seeking payment for these services from the victim or other sources. If a collection agency or lawyer gets a debt for a bill related to these services, they must return the debt to the health care provider, emergency service, lab, or pharmacy that sent it to them if they learn that this rule applies. Lastly, a debt collector can't be privately sued under this rule.

AM 1525 includes LB 436, which proposes to update the Nebraska Uniform Controlled Substances Act so that it matches the federal list of controlled substances. This includes adding substances such as fentanyl-related substances, methoxetamine, zippeprol, amineptine, and N-phenyl-N' to Schedule I drugs. It also adds daridorexant to Schedule IV drugs and ganaxolone to Schedule V drugs.

AM 1525 integrates LB 330 into LB 157, and this inclusion provides further details about how a person claiming to be the successor can handle the debts of a deceased person. This new provision specifies that a financial institution that accepts such a check, draft, or other negotiable instrument for deposit is relieved of any claims for the amount accepted. In other words, once the institution has accepted this debt instrument for deposit, it can't be held responsible for any claims related to the amount of that instrument.

In AM 1525, a new budgetary program within the department is established, called the Limited Temporary Guardian Aid Program. The legislature plans to appropriate specific amounts of money for this program over the next two fiscal years.

For the fiscal year 2024-25:

- \$160,000 will be set aside for aid to covered counties that have a metropolitan class city within their borders.
- \$90,000 will be allocated for aid to covered counties that contain a primary class city.

The same amounts will be provided for the following fiscal year, 2025-26:

- \$160,000 for aid to covered counties with a metropolitan class city.
- \$90,000 for aid to covered counties with a primary class city.

AM 1525 brings in LB 757 into LB 157 and makes changes to section 81-1821. These changes relate to when applications need to be sent to the committee:

- For a victim who was 19 or older when they were injured or died, the application must be sent within two years from the date of the injury or death.
- For a victim who was younger than 19 when they died, the application must be sent within three years from the date of death.
- For a victim who was younger than 19 when they were injured, the application must be sent no later than their 22nd birthday.

In certain cases, the committee has the authority to consider applications submitted after these deadlines if they decide there was a good reason for missing the deadline.

AM 1525 integrates LB 82 into LB 157, imposing a new responsibility on the Nebraska Department of Correctional Services (NDCS). This addition would be part of Section 83-4, 144 and would necessitate the NDCS to provide details on all prison housing areas that don't fall into either the general population or restrictive housing categories.

This information includes:

- The purpose of each special housing area.
- Data about the number of inmates housed in these settings.
- The average duration of stay in these settings.
- Information about programs offered in each area.
- Data about program completions in each area.
- Details about staffing levels and the roles of staff in each area.
- Any other relevant information or data about the operation of these special housing areas.

LB 157 seeks to authorize appointment of temporary guardians for certain limited purposes and to exempt such guardians from caseload ratios. The bill states that when appointing a temporary guardian, the purpose will be to assist the person in applying for private or government benefits they're eligible for. The temporary guardian can have access to personal and financial records if necessary to apply for benefits. The order and letters of limited temporary guardianship will specify the powers and duties of the temporary guardian, limiting the powers and duties to those necessary to apply for private or government benefits to which the person can be eligible for.

The bill states that if the court appoints the Public Guardian as the temporary guardian for limited purposes, it will exempt guardians from the caseload ratio.

Expenditures:

The Department of Health and Human Services states that the LB 157 enables courts to assign temporary guardians for specific limited purposes. It plans to establish a distinct budget program called the Limited Temporary Guardian Aid Program. It also intends to allocate \$160,000 in fiscal year 2024-25 for state aid to metropolitan class city counties and \$90,000 to primary class city counties under this program.

Several sections of LB 157, revised by AM1525, AM1994, & AM 1995, necessitate training for the judiciary and court staff. Additionally, parts related to temporary guardianship could raise the workload in the 3rd and 4th judicial districts. Nonetheless, no extra resources are needed at the moment.

Furthermore, LB 157, as modified by AM 1993, demands alterations to forms and updates to the court case management system (JUSTICE), along with additional staff education. This will affect the Automation Cash Fund, requiring an additional \$10,000 for maintenance in the 2024 fiscal year. Presently, the agency has the capacity to accommodate these costs.

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
LB: 157	AM: 1525, AM 1995, AM 1994, AN 1993	AGENCY/POLT. SUB: Nebraska Supreme Court (005)
REVIEWED BY: Joe Wilcox	DATE: 05/30/2023	PHONE: (402) 471-4178
COMMENTS: No basis to disagree with the Nebraska Supreme Court estimate of potential, Fiscal Impact to the Agency from LB 157, as amended by the Judiciary Committee Amendment – AM 1525, as well as AM 1993, AM 1994, and AM 1995.		

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
LB: 157	AM: 1525	AGENCY/POLT. SUB: Nebraska Department of Health and Human Services (025)
REVIEWED BY: Joe Wilcox	DATE: 05/30/2023	PHONE: (402) 471-4178
COMMENTS: Agree with the Nebraska Department of Health and Human Services (DHHS) estimate of Potential Fiscal Impact to the Agency from Legislative Intent language to appropriate a total of \$250,000 earmarked as State Aid, from LB 157, as amended by the Judiciary Committee Amendment – AM 1525.		

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
LB: 157	AM: 1525	AGENCY/POLT. SUB: Nebraska Board of Parole (15)
REVIEWED BY: Joe Wilcox	DATE: 05/25/2023	PHONE: (402) 471-4178
COMMENTS: No basis to dispute the Nebraska Board of Parole estimate of No Fiscal Impact to the Agency from LB 157, as amended by the Judiciary Committee Amendment – AM 1525.		

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
LB: 157	AM: 1525	AGENCY/POLT. SUB: Nebraska Commission on Law Enforcement and Criminal Justice (078)
REVIEWED BY: Joe Wilcox	DATE: 05/25/2023	PHONE: (402) 471-4178
COMMENTS: No basis to dispute the Nebraska Commission on Law Enforcement and Criminal Justice (Crime Commission) estimate of No Fiscal Impact to the Agency from LB 157, as amended by the Judiciary Committee Amendment – AM 1525.		

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
LB: 157	AM: 1995	AGENCY/POLT. SUB: Nebraska Attorney General (11)
REVIEWED BY: Joe Wilcox	DATE: 05/25/2023	PHONE: (402) 471-4178
COMMENTS: No basis to dispute the Nebraska Attorney General estimate of No Fiscal Impact to the Agency from LB 157, as amended by AM 1995.		

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

2023

LB⁽¹⁾ 157, AM1525, 1993, 1994, 1995

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾ 05 Supreme Court

Prepared by: ⁽³⁾ Eric Asboe Date Prepared: ⁽⁴⁾ 5/28/2023 Phone: ⁽⁵⁾ 402-326-9215

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2023-24</u>		<u>FY 2024-25</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	See below		See below	
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS				

Explanation of Estimate:

Several sections of LB157, as amended by AM1525, AM1994 & AM1995 require judicial and court staff education. In addition, sections related to temporary guardianship may increase workload in judicial districts 3 & 4. However, no additional resources are required at this time.

LB157, as amended by AM1993, will require changes to forms, modifications to JUSTICE, the court case management system and judicial and court staff education. Estimated one-time General Fund impact, to maintain the Automation Cash Fund: FY24 \$10,000.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2023-24</u>	<u>2024-25</u>
	<u>23-24</u>	<u>24-25</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 5-26-2023

Phone: (5) 471-6719

	<u>FY 2023-2024</u>		<u>FY 2024-2025</u>	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS			\$250,000	
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS	\$0		\$250,000	

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

Explanation of Estimate:

LB82, LB315, LB330, LB436, LB757: No fiscal impact to DHHS.

LB 157: Authorizes the courts to appoint temporary guardians for certain limited purposes. Included is an intent to create a separate and distinct budget program to be known as the Limited Temporary Guardian Aid Program. Also included is an intent to appropriate in fiscal year 2024-25, \$160,000 for state aid under the program to covered counties containing a city of the metropolitan class and \$90,000 for state aid under the program to covered counties containing a city of the primary class.

The Department of Health and Human Services (DHHS) will absorb costs associated with creating the budget program, issuing payments to counties, and any promulgation of rules and regulations.

MAJOR OBJECTS OF EXPENDITURE

PERSONAL SERVICES:	NUMBER OF POSITIONS		2023-2024 EXPENDITURES	2024-2025 EXPENDITURES
	23-24	24-25		
Benefits.....				
Operating.....				
Travel.....				
Capital Outlay.....				
Aid.....			\$0	\$250,000
Capital Improvements.....				
TOTAL.....			\$0	\$250,000

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

2023

LB⁽¹⁾ 157 AM 1525

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾ Nebraska Board of Parole

Prepared by: ⁽³⁾ Rosalyn Cotton Date Prepared: ⁽⁴⁾ May 25, 2023 Phone: ⁽⁵⁾ 402 479-5731

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2023-24</u>		<u>FY 2024-25</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:

LB 157 AM 1525 - No Fiscal Impact

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2023-24</u>	<u>2024-25</u>
	<u>23-24</u>	<u>24-25</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	_____	_____	_____	_____

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

2023

LB⁽¹⁾ 157 AM1525

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾ Nebraska Department of Correctional Services

Prepared by: ⁽³⁾ Lisa Stanton Date Prepared: ⁽⁴⁾ 5/25/2023 Phone: ⁽⁵⁾ (402)479-5702

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2023-24</u>		<u>FY 2024-25</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:

NDCS estimates no fiscal impact as a result of LB 157 as amended by AM1525.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2023-24</u>	<u>2024-25</u>
	<u>23-24</u>	<u>24-25</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	_____	_____	_____	_____

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

2023

LB⁽¹⁾ 157 AM1525

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾ Nebraska Crime Commission

Prepared by: ⁽³⁾ Amanda Limbach Date Prepared: ⁽⁴⁾ 05/25/2023 Phone: ⁽⁵⁾ 402-471-8799

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2023-24</u>		<u>FY 2024-25</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	_____	_____	_____	_____
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
TOTAL FUNDS	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

Explanation of Estimate:

No fiscal impact

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2023-24</u>	<u>2024-25</u>
	<u>23-24</u>	<u>24-25</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	_____	_____	_____	_____

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

2023

LB⁽¹⁾ 157, AM1995

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾ Attorney General

Prepared by: ⁽³⁾ Mike Guinan Date Prepared: ⁽⁴⁾ 5-25-23 Phone: ⁽⁵⁾ 402-471-2687

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2023-24</u>		<u>FY 2024-25</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:

No Fiscal Impact.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2023-24</u>	<u>2024-25</u>
	<u>23-24</u>	<u>24-25</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	_____	_____	_____	_____