

Revised to reflect adoption of AM797

# FISCAL NOTE

LEGISLATIVE FISCAL ANALYST ESTIMATE

## ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)

	FY 2025-26		FY 2026-27	
	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.

LB295 amends several sections to redefine:

- terms & change provisions relating to termination
- documents used to demonstrate United States citizenship or lawful presence in the United States
- repayment of gross distributions or benefits • cost-of-living adjustments
- deadlines for filing forms relating to survivorship annuities
- employee leave for preretirement planning programs under the County Employees Retirement Act, the Judges Retirement Act, the School Employees Retirement Act, the Class V School Employees Retirement Act, the Nebraska State Patrol Retirement Act, & the State Employees Retirement Act

LB295 also:

- changes a definition in the Spousal Pension Rights Act
- restates legislative intent under the Nebraska State Patrol Retirement Act
- changes the provisions relating to calling meetings of the Public Employees Retirement Board (PERB) & paying the per diems & expenses for members of the Board
- changes the provisions relating to demonstrating United States citizenship or lawful presence in the United States for participation in a deferred compensation plan

AM404 amends several sections to:

- extend the retirement application deadline under the School Employees Retirement Act from 120 days prior to the effective date of the member's initial benefit to 270 days prior to the effective date of the member's initial benefit
- strike the changes in the LB295 regarding actuarially required contributions to the Nebraska State Patrol Retirement Act
- clarify the language regarding inadvertent overpayments to provide that those overpayments can only be waived by the Public Employees Retirement Board (PERB) board if the repayment would cause a significant hardship
- change the 60-day deadline for beneficiaries to elect a lump-sum distribution under the Class V School Employees Retirement Act to a 90-day deadline, rather than eliminating the deadline
- strike the language in §24-703 that requires state contributions to the Nebraska Retirement Fund for Judges occur by way of an administrative transfer by the State Treasurer

AM797 amends §4-108 to expand the documents needed for participation in any retirement system to include a state-issued motor vehicle learner's permit & also documents that have an expiration date that have been extended by the United States Department of Homeland Security or the United States Citizenship & Immigration Services so that the document is still valid.

Since an emergency exists, this bill takes effect when passed & approved according to law.

NO FISCAL IMPACT.

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
LB: 295	AM: 797	AGENCY/POLT. SUB: Department of Education
REVIEWED BY: Ryan Walton	DATE: 4/10/2025	PHONE: (402) 471-4174
COMMENTS: The Department of Education's assessment of fiscal impact from LB 295, as amended by AM 797, appears reasonable.		

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
LB: 295	AM: 797	AGENCY/POLT. SUB: Nebraska Public Employees Retirement Systems (NPERS)
REVIEWED BY: Ryan Walton	DATE: 4/10/2025	PHONE: (402) 471-4174
COMMENTS: NPER's assessment of no fiscal impact from LB 295, as amended by AM 797, appears reasonable.		

State Agency OR Political Subdivision Name: <sup>(2)</sup> Nebraska Department of Education

Prepared by: <sup>(3)</sup> Bryce Wilson

Date Prepared: <sup>(4)</sup> 4/9/25

Phone: <sup>(5)</sup> 402-471-4320

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	FY 2025-26		FY 2026-27	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS				
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS				

Explanation of Estimate:

No fiscal impact to NDE.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE				
Personal Services:				
POSITION TITLE	NUMBER OF POSITIONS		2025-26	2026-27
	25-26	26-27	EXPENDITURES	EXPENDITURES
Benefits.....				
Operating.....				
Travel.....				
Capital outlay.....				
Aid.....				
Capital improvements.....				
TOTAL.....				

# 2025

## FISCAL NOTE

Prepared by: (3) Elaine Menzel Date Prepared: (4) 4/ 10/2025 Phone: (5) 402.434.5660

	FY 2025-26		FY 2026-27	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS				
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS				

LB 295 updates all state-administered retirement plans to clarify citizenship documents, repayment of gross distributions, and leave to attend financial planning sessions. AM404 adds provisions from LB420, as amended, including the emergency clause. The amendment has no fiscal impact to the state-administered County Retirement Plan. AM797 relates to the documents of a United States citizen or an individual that is lawfully present. It would allow an additional type of valid document.

### BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

LB

**2025-26**

2026-27

**25-26**

**26-27**

## EXPENDITURES

## EXPENDITURES

**Benefits.....**

**Operating.....**

Travel.....

**Capital outlay.....**

**Aid**.....

**Capital improvements.....**

**TOTAL**.....

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

**2025**

**LB<sup>(1)</sup> 295 AM 797**

**FISCAL NOTE**

State Agency OR Political Subdivision Name: <sup>(2)</sup> Nebraska Public Employees Retirement Systems (NPERS)-  
085

Prepared by: <sup>(3)</sup> Teresa Zulauf Date Prepared: <sup>(4)</sup> 4/10/25 Phone: <sup>(5)</sup> 402-471-7745

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

	<u>FY 2025-26</u>		<u>FY 2026-27</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS				
CASH FUNDS	0	0	0	0
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS	0	0	0	0

**Explanation of Estimate:**

LB 295-Changes to the retirement plans.

New language provides that someone is paid a benefit and is determined to not have retired, the benefit is to be paid back unless it was an inadvertent overpayment. IO defined by IRS.

Language adding learner's permit as acceptable proof of lawful presence for non-immigrant retirement participation; allows for extension of document expiration by non-documentation source.

Adds OSERS to Spousal Pension Rights Act for QDROs.

Adds current practice of including leave of absence pay in compensation definition for school plan. Codifies currently used part-time vs full time plan participation test.

Allows for separate payments made to multiple death beneficiaries.

OSERS covered employees remain in plan upon returning to part time.

Clarifies what annuity gets COLA in OSERS.

Removes deadline to elect annuity benefit option in school plan for death benefit.

Clarifies educational attendance days are comprised of certain number of hours, not vague day label.

Allows chair, vice chair, to call meetings in agreement with PERB policies. Adds mileage for PERB reimbursement and travel per diem day.

Adds requirements for half day education option to include educational videos as part of day educational curriculum.

Adds anti-association language for NPERS plan marketing.

No fiscal impact to NPERS Agency 085 operations expenditures.

AM 404-update language.

AM 797-update language.

No fiscal impact to NPERS Agency 085 operations expenditures.

**BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE**

**Personal Services:**

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2025-26</u>	<u>2026-27</u>
	<u>25-26</u>	<u>26-27</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
Benefits.....				
Operating.....				
Travel.....				
Capital outlay.....				
Aid.....				
Capital improvements.....				
TOTAL.....				

LB<sup>(1)</sup> 295, AM797

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> 4/10/2025

Phone: <sup>(5)</sup> 402-326-9215

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	FY 2025-26		FY 2026-27	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS				
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS				

Explanation of Estimate:

AM797 has no fiscal impact. LB295, as amended, has a minimal fiscal impact to provide judicial and staff education. No additional resources required.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:				
POSITION TITLE	NUMBER OF POSITIONS		2025-26	2026-27
	25-26	26-27	EXPENDITURES	EXPENDITURES
Benefits.....				
Operating.....				
Travel.....				
Capital outlay.....				
Aid.....				
Capital improvements.....				
TOTAL.....				