

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	300,000	300,000	300,000	300,000
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS	300,000	300,000	300,000	300,000

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

This bill would increase the indigent defense court fee from \$3 to \$4. The Commission on Public Advocacy estimates this \$1 fee increase would generate an additional \$300,000 per year. The following table summarizes the Commission’s fiscal note response:

ITEMS	FY2020-21	FY2021-22	FY2020-21	FY2021-22
	Number of Positions		Expenditures	
Attorney III (this would allow the Commission to accept more cases)	1.00	1.00	85,000	90,000
Benefits			28,000	30,000
Operating (expert witnesses, interpreters, court reporters, & private investigators)			115,000	115,000
Travel			67,000	65,000
Capital Outlay			5,000	0
TOTAL	1.00	1.00	300,000	300,000

See the Commission’s response attached for additional details not included in this fiscal note.

The Supreme Court states they will not require any additional funds to make changes to their case management system (JUSTICE) due to the provisions of this bill.

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
LB: 1082	AM:	AGENCY/POLT. SUB: Nebraska Commission on Public Advocacy (094)
REVIEWED BY: Joe Wilcox	DATE: 1/27/2020	PHONE: (402) 471-4178
COMMENTS: No disagreement with the Nebraska Commission on Public Advocacy estimate of potential Cash Fund Revenue as a result of LB 1082. The Commission’s fiscal note also notes potential increases in Cash Fund Expenditures corresponding to the increased Cash Revenue. It should be noted, the bill itself does not create a need for additional expenditures. The Commission identifies it would increase expenditures relative to current needs if additional Cash Fund Revenues were available as a result of LB 1082.		

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
LB: 1082	AM:	AGENCY/POLT. SUB: Nebraska Supreme Court (005)
REVIEWED BY: Joe Wilcox	DATE: 2/06/2020	PHONE: (402) 471-4178
COMMENTS: No basis to dispute the Nebraska Supreme Court estimate of No Fiscal Impact to the Agency from LB 1082.		

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

2020

LB⁽¹⁾ 1082

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾ Nebraska Commission on Public Advocacy

Prepared by: ⁽³⁾ Jeffery A. Pickens Date Prepared: ⁽⁴⁾ _____ Phone: ⁽⁵⁾ 402-471-7775

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	<u>300,000</u>	<u>300,000</u>	<u>300,000</u>	<u>300,000</u>
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
TOTAL FUNDS	<u><u>300,000</u></u>	<u><u>300,000</u></u>	<u><u>300,000</u></u>	<u><u>300,000</u></u>

Explanation of Estimate:

Since 2005, the Nebraska Commission on Public Advocacy has been funded by a \$3 fee taxed as costs to cases filed in Nebraska's courts. The Commission receives no general funds. Since FY2008-09, the number of case filings has decreased each year, and so has the Commission's revenue. In FY2008-09, the Commission's revenue was \$1,287,413.05. In FY2018-19, the Commission's revenue was only \$938,073.21. Thus, revenue in FY2008-09 was almost \$350,000 greater than in FY2018-19. Since FY 13-14, revenue has not been sufficient to cover expenditures, and the Commission has relied on its operations fund to cover expenditures. This \$1.00 increase would yield approximately \$300,000 in increased revenue to Commission operations. The increased revenue would allow the Commission to cover expenditures such as travel costs associated with representing indigent criminal defendants state-wide and the hiring of expert witnesses, interpreters, court reporters, and private investigators. The increased revenue would also allow the Commission to hire another attorney to assist in meeting the demands of the full-capacity caseload the Commission has experienced in recent years, which has forced it to decline some case appointments. With another lawyer, the Commission could accept more appointments and thereby provide additional property tax relief to Nebraska's counties

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>
Attorney III	<u>1</u>	<u>1</u>	<u>85,000</u>	<u>90,000</u>
Benefits.....			<u>28,000</u>	<u>30,000</u>
Operating.....			<u>115,000</u>	<u>115,000</u>
Travel.....			<u>67,000</u>	<u>65,000</u>
Capital outlay.....			<u>5,000</u>	<u>0</u>
Aid.....			_____	_____
Capital improvements.....			_____	_____
TOTAL.....			<u><u>300,000</u></u>	<u><u>300,000</u></u>

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

2020

LB⁽¹⁾ 1082

FISCAL NOTE

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

Prepared by: ⁽³⁾ Eric Asboe Date Prepared: ⁽⁴⁾ 2/5/20 Phone: ⁽⁵⁾ 1-4138

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:

LB1082 increases the current indigent defense fee, administered by the Commission on Public Advocacy, by \$1.00. Modifications would be made to JUSTICE, the Judicial Branch case management system. No additional resources required.

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.....	_____	_____	_____	_____