

FISCAL NOTE
LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)				
	FY 2024-25		FY 2025-26	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS		See Below		See Below
CASH FUNDS	See below		See below	
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS	See below	See Below	See below	See Below

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

LB 1089 aims to amend various sections of Nebraska’s statutes related to court procedures, specifically aiming to exempt individuals under 19 from certain court fees, probation fees, and DNA collection/testing costs. It assumes such individual’s indigent for criminal discovery fees, prohibits recovering costs and fees in juvenile proceedings from juveniles and their guardians, and proposes changes to juvenile pretrial diversion programs, appointed counsel, guardians ad litem, and recoupment costs. Additionally, it seeks to prohibit fines as penalties in juvenile proceedings and to repeal obsolete provisions to harmonize laws.

The Nebraska Commission on Public Advocacy (NCPA) received general fund transfers of \$520,000 in FY22 and FY23 and an additional \$1,000,000 in FY24 and FY25 to supplement the revenue from filing fees, ensuring the organization meets its needs. A reduction in filing fees would, therefore, require an increase in general funds appropriated or transferred to the NCPA in the future to address any financial shortfall. The NCPA anticipates a revenue decrease of \$100,000 in Fiscal Year 2024-25 and \$125,000 in Fiscal Year 2025-26.

The Supreme Court anticipates a one-time impact of \$150,000 from Cash Funds to update JUSTICE, the Judicial Branch’s case management system. Should LB 1089 be enacted early in Fiscal Year 2024-25, it would be imperative to allocate these funds in the current Fiscal Year 2023-24.

Furthermore, the Supreme Court is projected to experience a decrease in revenue of \$1.2 million annually from fines and fees. Certain fees and costs are currently waived for juveniles, and as such the resulting revenue loss is less than the court’s estimate.

The enactment of LB 1089 would also lead to a decrease in revenue for multiple agencies, including the Commission for Public Advocacy, the Crime Commission, and various counties.

There is no basis to disagree with the estimates.

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE			
LB: 1089	AM:	AGENCY/POLT. SUB: Nebraska Supreme Court (005)	
REVIEWED BY: Joe Wilcox	DATE: 02/13/2024	PHONE: (402) 471-4178	
COMMENTS: Do not disagree with the Nebraska Supreme Court estimate of potential cash fund revenue loss to the Agency from LB 1089, as well as potential one-time General Fund costs to address JUSTICE System changes.			

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE			
LB: 1089	AM:	AGENCY/POLT. SUB: Nebraska Commission on Public Advocacy (094)	
REVIEWED BY: Joe Wilcox	DATE: 01/10/2024	PHONE: (402) 471-4178	
COMMENTS: Do not disagree with the Nebraska Commission on Public Advocacy estimate of potential cash fund revenue loss to the Agency from LB 1089.			

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

2024

LB⁽¹⁾ 1089

FISCAL NOTE

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

Prepared by: ⁽³⁾ Todd Lancaster Date Prepared: ⁽⁴⁾ 01/10/2024 Phone: ⁽⁵⁾ 402-471-7774

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2024-25</u>		<u>FY 2025-26</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	_____	_____	_____	_____
CASH FUNDS	_____	-100,000.00	_____	-125,000.00
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
TOTAL FUNDS	=====	=====	=====	=====

Explanation of Estimate:

Our estimate includes the operating funds for NCPA (33-156) as well as the Civil Legal Services Fund (25-3010) and the Legal Aid and Services Fund (33-107.01). Estimation was made using the Annual Caseload Report of the Separate Juvenile Courts for Fiscal Year 2023. We also estimated the number of cases in adult courts that would include juveniles aged 16-19.

In the previous two fiscal years NCPA has received general funds transfers of \$520,000.00 and currently receive \$1,000,000.00 to supplement the filing fees we receive in order to meet our budget needs. Further reduction of filing fees will increase the amount of general funds we will need in the future.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2024-25</u>	<u>2025-26</u>
	<u>24-25</u>	<u>25-26</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.

2024

LB⁽¹⁾ 1089

FISCAL NOTE

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

Prepared by: ⁽³⁾ Eric Asboe Date Prepared: ⁽⁴⁾ 2/12/24 Phone: ⁽⁵⁾ 402-326-9215

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2024-25</u>		<u>FY 2025-26</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	_____	See below	_____	_____
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
TOTAL FUNDS	=====	=====	=====	=====

Explanation of Estimate:

LB1089 fiscal impact:

1. Expenditure increase. Estimate one-time \$150,000 General Funds to modify JUSTICE, the Judicial Branch case management system. Assuming LB1089 becomes effective in early FY24-25, funds would need to be received in the current fiscal year FY23-24.
2. Revenue decrease. Estimated maximum revenue loss per fiscal year from fines and fees is approximately \$1.2 million.
 - a. Some fees and costs are currently waived for juveniles in some jurisdictions. The actual revenue loss is less than the amount shown above.
 - b. Some cash funds and multiple entities such as counties, the Commission for Public Advocacy, the Crime Commission, and others will see the revenue loss.
 - c. JUSTICE data from CY2022 & CY2023 for all cases in juvenile court and criminal court if under 19.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2024-25</u>	<u>2025-26</u>
	<u>24-25</u>	<u>25-26</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	_____	_____	_____	_____