PREPARED BY: DATE PREPARED: PHONE: Doug Gibbs January 21, 2016 402-471-0051

LB 862

Revision: 00

FISCAL NOTE

LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT - STATE AGENCIES (See narrative for political subdivision estimates)						
	FY 2016-17		FY 2017-18			
	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.

LB 862 amends Nebraska Revised Statutes Sections 28-1101 and 28-1105 regarding gambling.

Section 28-1101 is amended to provide that conducting or participating in a fantasy contest does not constitute advancing or engaging in gambling.

Fantasy contest is defined as any fantasy or simulated game in which:

- (a) Winning participants are eligible to receive cash or other item of value;
- (b) The value of all prizes and awards are established and publicized to the participants prior to the game or contest;
- (c) All winning outcomes reflect the knowledge and skill of the participants and determined by the statistical results of the performance of individuals, including athletes in the case of sporting events; and
- (d) No winning outcome is based on the score, the point spread, or any performance of any single actual team or combination of such teams or single performance of an individual athlete or player in any single actual event.

The bill also provides that supplies, equipment, cards, etc. used in a fantasy contest are not gambling devices.

Section 28-1105 is amended to exclude possession of any writing, paper, instrument, or article used in a fantasy contest from the offense of possession of gambling records.

There is no fiscal impact to the state as a result of LB 862.

ADMINISTRATIVE SERVICES-STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSES						
LB: 862 AM: AGENCY/POLT. SUB: Dept. of Revenue						
REVIEWED BY: Lyn Heaton DATE: 1/22/2016 PHONE: 471-4181						
COMMENTS: No basis upon which to disagree with the Department of Revenue's analysis as no additional duties and						
responsibilities are identified for the Department.						

ADMINISTRATIVE SERVICES-STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSES					
LB: 862 AM: AGENCY/POLT. SUB: Attorney General's Office					
REVIEWED BY: Lyn Heaton DATE: 1/21/2016 PHONE: 471-4181					
COMMENTS: No basis upon which to disagree with the Attorney General's Office's analysis.					

State Agency Estimate						
State Agency Name: Department of	Revenue				Date Due LFA:	1/21/2016
Approved by: Tony Fulton		Date Prepared:	1/20/2016		Phone: 471-5896	
	FY 201	<u>6-2017</u>	FY 201	7-2018	FY 20	18-2019
	Expenditures	Revenue	Expenditures	Revenue	<u>Expenditures</u>	Revenue
General Funds						
Cash Funds						
Federal Funds						
Other Funds						
Total Funds						

LB 862 would add language to the Criminal Code, specifically to sections 28-1101 and 28-1105 relating to gambling, to indicate that conducting or participating in a fantasy contest, does not constitute gambling.

Fantasy Contest is defined as any fantasy or simulated game or contest where:

- Participants can receive cash prizes for winning,
- The prizes to be awarded are stated prior to the contest,
- Winning outcomes reflect the participant's knowledge and skill and are determined predominantly by statistical performances of individuals including athletes, and
- No winning outcome is based on the score, point spread, or performance of an actual team or combinations of teams, or on the performance of a single athlete or player in the actual event.

It is estimated that this bill will have no impact on the General Fund.

It is estimated that there will be no costs to the Department to implement this bill.

Major Objects of Expenditure							
Class Code	Classification Title	16-17 <u>FTE</u>	17-18 <u>FTE</u>	18-19 <u>FTE</u>	16-17 <u>Expenditures</u>	17-18 Expenditures	18-19 Expenditures
Benefits							
Operating Costs. Travel							
Capital Outlay							
Capital Improvement	ts.						
Total							

LB ⁽¹⁾ 862			FISCAL NOTE
State Agency OR Political Subdivision Name: (2)	Attorney Gener		
Prepared by: (3) Jay Bartel	Date Prepared: (4)	1-14-16 Phor	ne: (5) 471-2687
ESTIMATE PROVI	DED BY STATE AGEN	NCY OR POLITICAL SUBI	DIVISION
EXPENDITURES	2016-17 REVENUE	EXPENDITURES	2017-18 REVENUE
GENERAL FUNDS	-		
CASH FUNDS			
FEDERAL FUNDS	3		
OTHER FUNDS	3;	-	
TOTAL FUNDS			•
TOTAL FUNDS		-	-
Explanation of Estimate:			
No Fiscal Impact.			
	N BY MAJOR OBJEC	TS OF EXPENDITURE	
	JMBER OF POSITION 16-17 17-18	IS 2016-17 EXPENDITURES	2017-18 EXPENDITURES
			-
D C			-
Benefits			
Operating			-
Capital outlay			
Aid			
Capital improvements			
TOTAL			