PREPARED BY: DATE PREPARED: PHONE: Doug Nichols January 31, 2018 402-471-0052

LB 792

Revision: 01

FISCAL NOTE

Updated for a revised agency response.

LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)								
	FY 2018-19 FY 2019-20							
	EXPENDITURES REVENUE EXPENDITURES REVEN							
GENERAL FUNDS	33,581		34,062					
CASH FUNDS								
FEDERAL FUNDS								
OTHER FUNDS								
TOTAL FUNDS	33,581		34,062					

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

This bill would change powers and duties of the Nebraska State Patrol, law enforcement agencies, the executive director of the Nebraska Commission on Law Enforcement and Criminal Justice, and the Attorney General. The bill has the emergency clause.

The Crime Commission estimates the following costs associated with this bill:

	FY2018-19	FY2019-20	FY2018-19	FY2019-20
ITEMS	Number o	f Positions	Expend	itures
Law Enforcement Instructor	0.50	0.50	24,304	24,668
Benefits			7,777	7,894
Operating			1,500	1,500
TOTAL	0.50	0.50	33,581	34,062

The Crime Commission states that it is necessary to establish a .50 FTE Law Enforcement Instructor position at the Law Enforcement Training Center. These additional duties can't be absorbed by the current staff at the Training Center because this is a significant workload increase. See the agency response attached for additional details not included in this fiscal note.

The Attorney General, the University of Nebraska, the State Patrol, and the Game and Parks Commission estimate no fiscal impact from this bill.

The City of Fremont estimates a per year cost of \$250 for staff time. See the city's response attached for additional details not included in this fiscal note.

The Cities of Imperial, Lincoln, and Omaha estimate no fiscal impact from this bill.

ADMINISTRATIVE SERVICES	STATE BUDGET DIVISION: REVIEW OF	AGENCY & POLT. SUB. RESPONSE
LB: 792 - REVISED AM: Criminal Justice (078)	AGENCY/POLT. SUB: Nebras	ka Commission on Law Enforcement and
REVIEWED BY: Joe Wilcox	DATE: 01/31/2018	PHONE: (402) 471-4178
	ca Commission on Law Enforcement and om LB 792, based on the Agency revision	Criminal Justice Revised estimate of of assumptions relative to the nature of the

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE						
LB: 792	AM:	AGENCY/POLT. SUB: Nebraska St	ate Patrol (064)			
REVIEWED BY: Joe Wilcox DATE: 01/29/2018 PHONE: (402) 471-4178						
COMMENTS	COMMENTS: No basis to dispute the Nebraska State Patrol estimate of No Fiscal Impact to the Agency from LB 792.					

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE						
LB: 792 AM: AGENCY/POLT. SUB: University of Nebraska (051)						
REVIEWED I	REVIEWED BY: Joe Wilcox DATE: 01/22/2018 PHONE: (402) 471-4178					
COMMENTS LB792.	COMMENTS: No basis to dispute the University of Nebraska estimate of No Fiscal Impact to the University System from LB792.					

	ADMINISTE	RATIVE SERVICES S	TATE BUDGET DIVISION	I: REVIEW OF	AGENCY & POLT. SUB. RESPONSE	
LB:	792	AM:	AGENCY/POLT. SUB	: City of Omaha	a	
REV	/IEWED BY:	Ann Linneman	DATE:	1-16-18	PHONE: (402) 471-4180	
CO	COMMENTS: Concur with the City of Omaha's estimate of no fiscal impact.					

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE						
LB: 792	AM:	AGENCY/POLT. SUB: Nebraska Atto	orney General (011)			
REVIEWED	BY: Joe Wilcox	DATE: 01/16/2018	PHONE: (402) 471-4178			
COMMENTS	COMMENTS: No basis to dispute the Nebraska Attorney General estimate of No Fiscal Impact to the Agency from LB 792.					

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE						
LB: 792 AM: AGENCY/POLT. SUB: City of Lincoln						
REVIEWED BY: Joe Wilcox DATE: 01/10/2018 PHONE: (402) 471-4178						
COMMENTS	COMMENTS: No basis to dispute the City of Lincoln estimate of No Fiscal Impact to the City from LB 792.					

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE						
LB: 792	AM:	AGENCY/POLT. SUB: City of Fremo	nt			
REVIEWED E	REVIEWED BY: Joe Wilcox DATE: 01/10/2018 PHONE: (402) 471-4178					
COMMENTS	COMMENTS: No basis to dispute the City of Fremont estimate of potential Fiscal Impact to the City from LB 792.					

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE						
LB: 792	AM:	AGENCY/POLT. SUB: Nebraska Ga	me and Parks Commission (033)			
REVIEWED	REVIEWED BY: Joe Wilcox DATE: 01/10/2018 PHONE: (402) 471-4178					
	COMMENTS: No basis to dispute the Nebraska Game and Parks Commission estimate of No Fiscal Impact to the Agency from LB 792.					

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE						
LB: 792	AM:	AGENCY/POLT. SUB: City of Imperia	1			
REVIEWED E	REVIEWED BY: Joe Wilcox DATE: 01/08/2018 PHONE: (402) 471-4178					
COMMENTS: No basis to dispute the City of Imperial estimate of No Fiscal Impact to the City from LB 792.						

792 – Revised Fiscal Note **FISCAL NOTE** NE Comm On Law Enforcement (Crime Commission) State Agency OR Political Subdivision Name: (2) Prepared by: (3) Bruce Avers Date Prepared: (4) 1-31-2018 Phone: (5) 471-0359 ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION FY 2018-19 FY 2019-20 REVENUE **EXPENDITURES EXPENDITURES REVENUE GENERAL FUNDS** 33,581 34,062 **CASH FUNDS** FEDERAL FUNDS OTHER FUNDS **TOTAL FUNDS** 33,581 34,062 Explanation of Estimate: Section 1 of LB 792 requires law enforcement agencies to submit a report to the Crime Commission of any officer who is terminated or allowed to resign in lieu of termination for conduct that could constitute (a) incompetence, (b) neglect of duty, (c) incapacity, (d) final conviction or pleading guilty to a felony,

To properly administer revocation cases and the provisions of LB 792, it is necessary to establish a .50 FTE Law Enforcement Instructor position at the Law Enforcement Training Center. These additional duties can't be absorbed by the current staff at the Training Center because this is a significant workload.

or (e) dishonesty or other violations of the officer's code of ethics or statutory duties.

The .50 FTE Law Enforcement Instructor would be responsible for: (1) corresponding with agencies regarding change-in-status issues that merit further review including termination due to misconduct, resignation in lieu of termination for conduct that could constitute revocation of law enforcement certification, retirement due to incapacitation, and violations of the one year training requirement; (2) track and serve as lead coordinator over active revocation complaints investigated by Training Center staff; (3) contact agencies not in compliance with hiring standards; (4) and conduct annual inspections of five training academies.

The personnel costs in this fiscal note assume benefits at 32%.

DDE AVE	ONANI DV NAA		F EXPENDITURE	
Personal Services:	DOWN BY IVIA.	JOR OBJECTS O	F EXPENDITURE	
POSITION TITLE	NUMBER OF <u>18-19</u>	POSITIONS 19-20	2018-19 <u>EXPENDITURES</u>	2019-20 EXPENDITURES
Law Enforcement Instructor	.50	.50	24,304	24,668
Benefits			7,777	7,894
Operating			1,500	1,500
Travel			0	0
Capital outlay			0	0
Aid			0	0
Capital improvements			0	0

TOTAL	33,581	34,062

LB (1)	792						FISCAL NOTE
State Ag	gency OR F	Political Subdivision Name:	Attorne	y General			
Prepare	ed by: (3)	Josh Shasserre	Date l	Prepared: (4)	1-12-18	Phone: ⁽⁵⁾	471-2687
·		ESTIMATE PRO	OVIDED BY S	TATE AGEN	CY OR POLIT	ICAL SUBDIVIS	SION
:=====						FY 2019	
		EXPENDITUR	FY 2018-19 RES R	EVENUE	EXPEND		REVENUE
GENER	RAL FUN	DS					
CASH F	FUNDS						
FEDER	AL FUNI	os					
OTHER	R FUNDS				o <u></u>		
TOTAL	FUNDS						
Explana	ation of E	stimate:					,
No Fise	cal Impa	ct.					
Persona	ıl Services	1	OWN BY MA.	OR OBJECT	S OF EXPEND	ITURE	
			NUMBER OF	POSITION		8-19	2019-20
	POSIT	ION TITLE	18-19	<u>19-20</u>	EXPENI	DITURES	EXPENDITURES
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Ranafita			4				<u> </u>
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		nents					
TO	TAI						

LB ⁽¹⁾ 792	2			FISCAL NOTE			
State Agency Ol	R Political Subdivision Name: ⁽²⁾	University of Nebraska					
Prepared by: (3	Michael Justus	Date Prepared: (4)	January 20, 2018 Phone:	402-472-2191			
	ESTIMATE PROV	IDED BY STATE AGEN	NCY OR POLITICAL SUBDIV	ISION			
	<u>FY</u> <u>EXPENDITURES</u>	2018-19 <u>REVENUE</u>	<u>FY 20</u> <u>EXPENDITURES</u>	<u>19-20</u> <u>REVENUE</u>			
GENERAL FU	UNDS	_	_				
CASH FUNDS	<u></u>						
FEDERAL FU	NDS						
OTHER FUNI	DS						
TOTAL FUNI	os						
Explanation of	f Estimate:						
University.							
Personal Servi		WN BY MAJOR OBJECT	ΓS OF EXPENDITURE				
		TUMBER OF POSITION 18-19 19-20	S 2018-19 EXPENDITURES	2019-20 EXPENDITURES			
Benefits							
			· · · · · · · · · · · · · · · · · · ·				
Travel							
-							
	vements						

LB⁽¹⁾ 792 Law Enforcement Officer hiring & separation **FISCAL NOTE** Nebraska Game and Parks Commission State Agency OR Political Subdivision Name: (2) Date Prepared: (4) 1/4/2018 Phone: (5) 402-471-5523 Prepared by: (3) Patrick H. Cole ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION FY 2018-19 FY 2019-20 **REVENUE** EXPENDITURES REVENUE **EXPENDITURES GENERAL FUNDS CASH FUNDS** FEDERAL FUNDS OTHER FUNDS **TOTAL FUNDS** Explanation of Estimate: The proposed legislation would change powers and duties of the Nebraska State Patrol, law enforcement agencies, the executive director of the Nebraska Commission on Law Enforcement and Criminal Justice, and the Attorney General, especially as it relates to hiring and separation reporting of law enforcement officers. No Fiscal Impact is anticipated. BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE Personal Services: NUMBER OF POSITIONS 2018-19 2019-20 POSITION TITLE <u> 18-19</u> 19-20 **EXPENDITURES EXPENDITURES**

$LB^{\scriptscriptstyle{(1)}}$	792						FISCAL NOTE
State Ag	jency OR P	olitical Subdivision Name: (Nebra	aska State Pa	atrol		
Prepare	ed by: (3)	Carol Aversman	Dat	e Prepared: (4)	1-15-2018	Phone:	5)
		ESTIMATE PRO	VIDED BY	STATE AGENC	Y OR POLITICA	AL SUBDIVIS	SION
		<u>EXPENDITUR</u>	FY 2018-19 RES	<u>REVENUE</u>	<u>EXPENDI</u>	<u>FY 20</u> TURES	19-20 <u>REVENUE</u>
GENER	RAL FUND	OS	<u> </u>				
CASH F	FUNDS						
FEDER	AL FUND	OS					
OTHER	R FUNDS						
TOTAL	_ FUNDS						
Explana	ation of Es	stimate:	_				
No Fis	cal Impa	ct					
Darsons	al Services		OWN BY M	IAJOR OBJECT	S OF EXPENDIT	ΓURE	
1 6130116		ION TITLE	NUMBER <u>18-19</u>	OF POSITIONS 19-20	S 2018 EXPEND		2019-20 EXPENDITURES
				_			
Benefit	S				· ·		
Operati	ing						
Travel.							
-	-						
•	improvem	nents					

LB (1)	792					FISCAL NOTE
State Agency OR I	Political Subdivision Name: (City of I	mperial			
Prepared by: (3)	Jo Leyland	Date I	Prepared: (4)	1-05-18	Phone: ⁽⁵⁾	308-882-4368
	ESTIMATE PRO	VIDED BY S	TATE AGEN	CY OR POLITICA	AL SUBDIVIS	ION
	F	Y 2018-19			FY 2 019	-20
	EXPENDITUR		EVENUE	EXPENDIT		REVENUE
GENERAL FUN	DS					
CASH FUNDS			 			
FEDERAL FUNI	 ns					
		<u> </u>				
OTHER FUNDS				÷	 .	
TOTAL FUNDS			.			
Explanation of E	stimate:					
	. (
	No Fixe	el impa	ct			
						· · · · · · · · · · · · · · · · · · ·
Personal Service		OWN BY MA.	OR OBJECT	S OF EXPENDIT	<u>URE</u>	
		NUMBER OF 18-19	POSITIONS 19-20	2018-1 EXPENDIT		2019-20 EXPENDITURES
	···					
						•
Benefits						
					 _	
-				-		
	ments	•				·
TOTAL						

$LB^{(1)}$	792					FISCAL NOTE
State A	gency OR P	Political Subdivision Name: (2	City of Omaha			
Prepare	ed by: (3)	Tyler Leimer	Date Prepared: (4)	1/10/2017	Phone: (5)	(402)444-4514
		ESTIMATE PRO\	/IDED BY STATE AGEN	CY OR POLITICA	L SUBDIVISIO	ON
		<u> </u>	<u>Y 2018-19</u>		FY 2019	<u>-20</u>
CENIE		<u>EXPENDITUR</u>	<u>ES</u> <u>REVENUE</u>	<u>EXPENDI</u>	TURES	<u>REVENUE</u>
	RAL FUNI		<u> </u>	<u> </u>		
CASH I			_	_		
	RAL FUNE	OS		_		
OTHE	R FUNDS		_	_		
TOTA	L FUNDS		<u> </u>			
Explan	ation of Es	stimate: No fiscal impact				
Person	al Services		OWN BY MAJOR OBJEC	TS OF EXPENDIT	URE	
1 013011			NUMBER OF POSITION			2019-20
	POSIT	ION TITLE	<u>18-19</u> <u>19-20</u>	<u>EXPENDI</u>	TURES	EXPENDITURES
				_		
Benefit	S			_		
Travel.				·		
Capital	outlay					
Aid						
Capital	improven	nents				
TO	TAL					

LB ⁽¹⁾ 792			FISCAL NOTE
State Agency OR Political Subdivision Name:	City of Fremont		
Prepared by: (3) J Elliott	Date Prepared: (4)	01-10-2017 Phone:	(5) 402-727-2630
ESTIMATE PRO	VIDED BY STATE AGENC	CY OR POLITICAL SUBDIVI	SION
	FY 2018-19	FY 20	19-20
EXPENDITUR		EXPENDITURES	REVENUE
GENERAL FUNDS \$250		\$250	
CASH FUNDS			
FEDERAL FUNDS	_		
OTHER FUNDS		·	
TOTAL FUNDS	_	<u> </u>	
Explanation of Estimate: Cost of the time for the Chief to preparand forwarded to the proper authorities Costs breakdown is approximately for year of clerical time (\$25 per hour) to	es. ur hours per year of the C	hiefs time (\$50.00 per houi for a total of \$250.00 per y) and two hours per
Personal Services:			
POSITION TITLE	NUMBER OF POSITIONS 18-19 19-20	S 2018-19 EXPENDITURES	2019-20 EXPENDITURES
		. <u> </u>	
Benefits			
Operating			
Travel Capital outlay			
Aid			
Capital improvements			
TOTAL			

LB (1)	792							FISCAL NOTE
State Ag	ency OR P	olitical Si	ubdivision Name: (city	of Lincoln			
Prepare	ed by: (3)	James	Van Bruggen	D	ate Prepared: (4)	1/10/18	Phone: (5)	402-4418325
		E:	STIMATE PROV	VIDED B	Y STATE AGEN(CY OR POLIT	ICAL SUBDIVISION	ON
			<u> </u>	FY 2018-1	19		FY 2019	9- <u>20</u>
			EXPENDITUR	<u>res</u>	<u>REVENUE</u>	<u>EXPEN</u>	<u>IDITURES</u>	<u>REVENUE</u>
GENER	RAL FUNI	OS						
CASH F	UNDS							
FEDER	AL FUND)S						
OTHER	R FUNDS							
TOTAL	FUNDS							
Explana	ition of Es	stimate:						
Most o	f the acti	vities in	this bill are cu	rrently be	ing done by the	City of Linco	In. No additiona	I fiscal impact.
Persona	ıl Services	:	BREAKD		MAJOR OBJECT			
	POSIT	ION TIT	LE	NUMBE 18-19	R OF POSITION <u>19-20</u> —		018-19 NDITURES	2019-20 EXPENDITURES
Benefits	S				<u> </u>	- <u>-</u>		
Operati	ng							
Travel.								
•	,							
•	•							
10	I AL					-		