

FISCAL NOTE
LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)				
	FY 2023-24		FY 2024-25	
	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	

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

The bill requires criminal prosecution for a person under eighteen years of age when an alleged offense was committed to be conducted to maintain the confidentiality of the identity of the defendant. This will apply to all stages of proceedings (beginning, during, after trial, sentencing, and post-conviction proceedings).

Expenditures:

LB 339 has sections related to confidentiality and juvenile placement that potentially causes an impact on the Supreme Court. The agency estimates the impact as follows:

1. Court case management system (JUSTICE) would have modifications. The agency is requesting an estimated \$50,000 for fiscal year 24' to maintain their Automation Fund Cash Fund at a sustainable amount the agency is requesting General Funds instead of cash funds.
2. Section 13 of the bill states that a Juvenile who has been adjudicated under the Nebraska Juvenile Code will not be transferred out of state by county or any state agency unless there is a need for emergency medical or mental treatment services. The amount of the impact on the agency is unknown at this time but the services required to these youth over the last three fiscal years has ranged from \$3 to 4.6 million.
3. The agency states that judicial and court staff workload can increase but there is no estimate of that impact at this time.

The Department of Health and Human Services (DHHS) would have an impact due to the bill stating that confidentiality would be required for criminal prosecutions and adjudications of minors who were under 18 years of age at the time of the act. Under the Nebraska Juvenile Code, it would also be extended to age 22.

DHHS states the changes in this bill would also increase the population size at the facilities due to the currently holding juveniles until age 19. The changes in the bill will necessitate resources such as, but not limited to space, staffing, and operations according to DHHS.

LB 339 would have DHHS establish a new pilot program. This program would be a family resource and juvenile assessment center which would be available 24/7. The assessment center would house multiple community providers under one roof and provide assessments at no cost to the family. The fee for a New Pilot Center membership of the national Assessment Center Association is \$1,500 according to the agency.

DHHS states that it would need to complete a competitive bid process to contract out for the programs and services required. As soon as bids are reviewed and awarded, DHHS would request additional aid dollars to pay for the center and programming that the awards perform.

DHHS would need a program specialist and part-time (.25) administrator to complete the competitive bid process, initiate and monitor contracts associated with the assessment center for the numerous services providers, and provide oversight and guidance for the assessment center operations, services. The agency is also needing a part-time (.50) Federal Aid Admin II for financial review and monitoring.

There is no basis to disagree with the estimates.

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
LB: 339	AM:	AGENCY/POLT. SUB: Nebraska Supreme Court (005)
REVIEWED BY: Joe Wilcox	DATE: 02/13/2023	PHONE: (402) 471-4178
COMMENTS: No basis to dispute the Nebraska Supreme Court estimate of Potential, but Indeterminate Fiscal Impact to the Agency from LB 339.		

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
LB: 339	AM:	AGENCY/POLT. SUB: Nebraska Department of Health and Human Services (025)
REVIEWED BY: Joe Wilcox	DATE: 02/13/2023	PHONE: (402) 471-4178
COMMENTS: No basis to dispute the Nebraska Department of Health and Human Services (DHHS) estimate of Potential Fiscal Impact to the Agency from LB 339.		

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
LB: 339	AM:	AGENCY/POLT. SUB: Nebraska Department of Correctional Services (046)
REVIEWED BY: Joe Wilcox	DATE: 01/30/2023	PHONE: (402) 471-4178
COMMENTS: No disagreement with the Nebraska Department of Correctional Services (NDCS) estimate of No Fiscal Impact to the Agency from LB 339.		

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
LB: 339	AM:	AGENCY/POLT. SUB: Nebraska Commission on Law Enforcement and Criminal Justice (078)
REVIEWED BY: Joe Wilcox	DATE: 01/20/2023	PHONE: (402) 471-4178
COMMENTS: Concur with the Nebraska Commission on Law Enforcement and Criminal Justice (Crime Commission) estimate of No Fiscal Impact to the Agency from LB 339.		

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
LB: 339	AM:	AGENCY/POLT. SUB: Nebraska Board of Parole (015)
REVIEWED BY: Joe Wilcox	DATE: 01/19/2023	PHONE: (402) 471-4178
COMMENTS: No Disagreement with the Nebraska Board of Parole estimate of No Fiscal Impact to the Agency from LB 339.		

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
LB: 339	AM:	AGENCY/POLT. SUB: Nebraska Commission on Public Advocacy (094)
REVIEWED BY: Joe Wilcox	DATE: 01/17/2023	PHONE: (402) 471-4178
COMMENTS: Do not disagree with the Nebraska Commission on Public Advocacy estimate of No Fiscal Impact to the Agency from LB 339.		

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE

LB: 339 **AM:** AGENCY/POLT. SUB: **Nebraska State Patrol (064)**

REVIEWED BY: Joe Wilcox DATE: 01/25/2023 PHONE: (402) 471-4178

COMMENTS: Agree with the Nebraska State Patrol estimate of No Fiscal Impact to the Agency from LB 339.

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

2023

LB⁽¹⁾ 339

FISCAL NOTE

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

Prepared by: ⁽³⁾ Eric Asboe Date Prepared: ⁽⁴⁾ 2/9/2023 Phone: ⁽⁵⁾ 402-326-9215

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2023-24</u>		<u>FY 2024-25</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	<u>See below</u>	<u> </u>	<u>See below</u>	<u> </u>
CASH FUNDS	<u> </u>	<u> </u>	<u> </u>	<u> </u>
FEDERAL FUNDS	<u> </u>	<u> </u>	<u> </u>	<u> </u>
OTHER FUNDS	<u> </u>	<u> </u>	<u> </u>	<u> </u>
TOTAL FUNDS	<u> </u>	<u> </u>	<u> </u>	<u> </u>

Explanation of Estimate:

There are several sections of LB339 related to confidentiality and juvenile placement that could impact the Judicial Branch. More information must be received to begin to determine a reasonable fiscal impact. However, a preliminary review includes:

1. Modifications to JUSTICE, the court case management system. General Funds will continue to be requested for these modifications in order to maintain a sustainable Automation Cash Fund. Minimum FY24 General Fund: \$50,000.
2. If Juvenile Probation is subject to Section 13, related to transfer of youth, General Fund expenditures for services would most likely increase since in-state service options may be at a higher rate. This assumes the services are available. To provide some context, at any given time, 40-50 juveniles on probation are in out-of-state placements. General Fund expenditures for services to these youth over the last three fiscal years have been between \$3.0 and \$4.6 million.
3. Judicial and court staff workload may increase related to new confidentiality processes. No estimate at this time.

Note: In-state service options are limited. A report submitted by the Department of Health and Human Services in 2021, in response to LB428, provides an estimated cost of building and operating a 24-bed Adolescent Psychiatric Residential Treatment Facility in Nebraska. The report estimates annual operating costs of approximately \$3.8 million.

Note. This fiscal note may be amended at a later date if the Judicial Branch is able to receive more information regarding the intent of some language within LB339.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2023-24</u>	<u>2024-25</u>
	<u>23-24</u>	<u>24-25</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>

Benefits				
Operating				
Travel				
Capital outlay				
Aid				
Capital improvements				
TOTAL				

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

State Agency or Political Subdivision Name:(2) Department of Health and Human Services

Prepared by: (3) John Meals

Date Prepared 2-10-2023

Phone: (5) 471-6719

	<u>FY 2023-2024</u>		<u>FY 2024-2025</u>	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS	\$108,095	\$0	\$149,653	\$0
CASH FUNDS	\$0	\$0	\$0	\$0
FEDERAL FUNDS	\$0	\$0	\$0	\$0
OTHER FUNDS	\$0	\$0	\$0	\$0
TOTAL FUNDS	\$108,095	\$0	\$149,653	\$0

Return by date specified or 72 hours prior to public hearing, whichever is earlier.

Explanation of Estimate:

LB 339 requires confidentiality for criminal prosecutions of minors tried as adults and changes provisions related to sentences for crimes committed by individuals under age 22. The Department of Health and Human Services (DHHS) would also establish a family resource and juvenile assessment center pilot program for cities of the metropolitan class and provide funds for services at those centers.

Under LB 339, confidentiality would be required for criminal prosecutions and adjudications of minors who were under 18 years of age at the time of the act. The jurisdiction under the Nebraska Juvenile Code would also be extended to age 22 and the term “young adult” would be redefined as “persons aged 18 and older and under 22 years of age.” The age of majority would also be extended to juveniles up to 22 years of age who were adjudicated in juvenile court for an IA or IB felony.

The facilities currently hold juveniles until age 19. Implementing the changes proposed in this bill could increase the population size at the facilities which would require additional resources such as, but not limited to, space, staffing, and operations.

This bill would have DHHS establish a new pilot program: a family resource and juvenile assessment center. This center would be available 24/7, house multiple community providers under one roof, and provide assessments at no cost to the family.

LB339 does not include an appropriation for aid. DHHS would need to complete a competitive bid process to contract out for the outlined programs and services. Once the bids are reviewed and awarded, DHHS would request additional aid dollars to pay for the center(s) and programming that the awardee(s) performs.

A program specialist and a .25 administrator would be necessary to complete the competitive bid process, initiate and monitor contracts associated with the assessment center for the various service providers, and provide oversight and guidance for the assessment center operations, services, etc. A 0.5 Federal Aid Admin II would be required for financial review and monitoring.

The fee for a New Pilot Center membership of the National Assessment Center Association is \$1,500.

MAJOR OBJECTS OF EXPENDITURE

PERSONAL SERVICES:

POSITION TITLE	NUMBER OF POSITIONS		2023-2024	2024-2025
	23-24	24-25	EXPENDITURES	EXPENDITURES
Program Specialist (K73210)	0.75	1.00	\$36,370	\$50,918
DHHS Administrator (G78801)	0.19	0.25	\$12,261	\$17,166
Federal Aid Admin II (V19612)	0.38	0.50	\$17,476	\$24,466
Benefits.....			\$23,137	\$32,392
Operating.....			\$18,851	\$24,711
Travel.....			\$0	\$0
Capital Outlay.....			\$0	\$0
Aid.....			\$0	\$0
Capital Improvements.....			\$0	\$0
TOTAL.....			\$108,095	\$149,653

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

2023

LB⁽¹⁾ 339

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾ Nebraska Department of Correctional Services

Prepared by: ⁽³⁾ Lisa Stanton Date Prepared: ⁽⁴⁾ 01/18/2023 Phone: ⁽⁵⁾ (402)479-5702

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2023-24</u>		<u>FY 2024-25</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:

NDCS estimates no fiscal impact as a result of LB339.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2023-24</u>	<u>2024-25</u>
	<u>23-24</u>	<u>24-25</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.

2023

LB⁽¹⁾ 339

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾ Nebraska Crime Commission

Prepared by: ⁽³⁾ Amanda Limbach Date Prepared: ⁽⁴⁾ 1/19/23 Phone: ⁽⁵⁾ 402-471-8799

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2023-24</u>		<u>FY 2024-25</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	_____	_____	_____	_____
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
TOTAL FUNDS	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

Explanation of Estimate:

No fiscal impact

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2023-24</u>	<u>2024-25</u>
	<u>23-24</u>	<u>24-25</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.

2023

LB⁽¹⁾ 339

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾ Nebraska Board of Parole

Prepared by: ⁽³⁾ Rosalyn Cotton Date Prepared: ⁽⁴⁾ January 17, 2023 Phone: ⁽⁵⁾ 402 479-5731

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2023-24</u>		<u>FY 2024-25</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:

LB 339- No Fiscal Impact

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2023-24</u>	<u>2024-25</u>
	<u>23-24</u>	<u>24-25</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.

2023

LB⁽¹⁾ 339: NO FISCAL IMPACT

FISCAL NOTE

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

Prepared by: ⁽³⁾ Jeffery A. Pickens Date Prepared: ⁽⁴⁾ 1-16-2023 Phone: ⁽⁵⁾ 402-471-7775

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2023-24</u>		<u>FY 2024-25</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:

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2023-24</u>	<u>2024-25</u>
	<u>23-24</u>	<u>24-25</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.

2023

LB⁽¹⁾ 339

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾ Nebraska State Patrol

Prepared by: ⁽³⁾ Carol Aversman Date Prepared: ⁽⁴⁾ 01-23-2023 Phone: ⁽⁵⁾ 402-471-4545

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2023-24</u>		<u>FY 2024-25</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:

No Fiscal Impact.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2023-24</u>	<u>2024-25</u>
	<u>23-24</u>	<u>24-25</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	_____	_____	_____	_____