

PREPARED BY: Bill Biven, Jr.  
 DATE PREPARED: March 07, 2023  
 PHONE: 402-471-0054

**LB 805**

Revision: 01

Revised to reflect State Patrol response

**FISCAL NOTE**  
**LEGISLATIVE FISCAL ANALYST ESTIMATE**

<b>ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)</b>				
	<b>FY 2023-24</b>		<b>FY 2024-25</b>	
	<b>EXPENDITURES</b>	<b>REVENUE</b>	<b>EXPENDITURES</b>	<b>REVENUE</b>
GENERAL FUNDS	\$121,742		\$122,542	
CASH FUNDS	\$54,300	\$54,300	\$36,200	\$36,200
FEDERAL FUNDS				
OTHER FUNDS				
<b>TOTAL FUNDS</b>	<b>\$176,042</b>	<b>\$54,300</b>	<b>\$158,742</b>	<b>\$36,200</b>

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

LB805 amends §79-2,103 to require school districts to allow youth organizations to provide information about their services & activities they offer to the students.

At least one time each school year & also when requested, a school district must allow a representative of a youth organization to present oral or written information to the students of the school regarding the organization & how the organization furthers the educational interests & civic involvement of students consistent with good citizenship & provide services & activities to any student from the school who is a member of their organization. The school district will make a good faith effort to select a date, location, & time for the organization to make their presentation to the students.

Prior to the presentation to the students, the representative must pass a background check that will be conducted by the Nebraska State Patrol (NSP) at the expense of the representative or the youth organization. Each school district can set the parameters of the background check as long as they are within the rules & regulations of the NSP.

**REVENUE:**

NSP has estimated that they will need to do 1,200 background checks in FY2023-24 & 800 in FY2024-25. The fee being charged to the youth organization for each background check will be \$45.25, resulting in \$54,300 in Cash Fund revenue for FY2023-24 & \$36,200 for FY2024-25.

**EXPENDITURES:**

The Nebraska Department of Education (NDE) estimates no fiscal impact to the State but there may be impact at the school district level & that amount cannot be determined at this time.

NSP will need to add 3 new FTEs to handle the increase in background checks. The salary & benefits for the FTEs will cost \$140,690, the operating expenses will be \$23,352, & capital outlay will be \$12,000 for FY2023-24. The salary & benefits for the FTEs will cost \$140,690 & the operating expenses will be \$18,052 for FY2024-25.

<b>ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY &amp; POLT. SUB. RESPONSE</b>				
LB:	805	AM:	AGENCY/POLT. SUB: Nebraska Department of Education	
REVIEWED BY:	Gary Bush	DATE:	2/7/23	PHONE: (402) 471-4161
COMMENTS: Agree with agency that there would be minimal costs.				

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE					
LB:	805	AM:	AGENCY/POLT. SUB: Nebraska State Patrol		
REVIEWED BY:	Gary Bush	DATE:	2/7/23	PHONE:	(402) 471-4161
COMMENTS: Disagree assumptions used by the agency to develop the estimate of impact. The number of technicians appears to be overstated..					

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

**2023**

**LB<sup>(1)</sup> 805**

**FISCAL NOTE**

State Agency OR Political Subdivision Name: <sup>(2)</sup> Education

Prepared by: <sup>(3)</sup> Lane Carr Date Prepared: <sup>(4)</sup> 2.3.23 Phone: <sup>(5)</sup> 4024193012

**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	_____	_____	_____	_____
<b>TOTAL FUNDS</b>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

Explanation of Estimate:

LB805 requires public school districts to allow organizations to provide information about services and activities they offer. The fiscal impact on the NDE and/or political subdivisions would be negligible.

**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.....	_____	_____	_____	_____
<b>TOTAL.....</b>	_____	_____	_____	_____

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

**2023**

**LB<sup>(1)</sup> 805**

**FISCAL NOTE**

State Agency OR Political Subdivision Name: <sup>(2)</sup> Nebraska State Patrol

Prepared by: <sup>(3)</sup> Carol Aversman Date Prepared: <sup>(4)</sup> 02-04-2023 Phone: <sup>(5)</sup> 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	\$121,742		\$122,542	
CASH FUNDS	\$54,300	\$54,300	\$36,200	\$36,200
FEDERAL FUNDS				
OTHER FUNDS				
<b>TOTAL FUNDS</b>	<u>\$176,042</u>	<u>\$54,300</u>	<u>\$158,742</u>	<u>\$36,200</u>

Explanation of Estimate:

**LB 805 requires that representatives of youth organizations be subject to a background check prior to providing information, services, or activities to a school. Furthermore, the parameters of the background check shall be determined by the relevant school district. Per the terms of the bill, a school district may prohibit any representative of a youth organization that has been convicted of a felony from providing information, services or activities at any school in such school district.**

**For purposes of completing the fiscal note, the State Patrol has made the assumption that such background checks will be finger-print based background checks submitted to the FBI. The bill is not clear as to the type of background check that is required. Additionally, the State Patrol has made the assumption that the this will result in an estimated additional 1,200 background checks in the first year, and 800 in the second year. The fee charged to the applicants are \$45.25, which will result in Cash Fund revenue of \$54,300 in the first year and \$36,200 in the second year.**

**The State Patrol estimates that three additional employees (3 Administrative Technicians) will be required. Other costs include the fee payable to the FBI (\$13.25 per applicant), and office supplies. The expenses in excess of the cash fund revenues are reflected as general fund expenditures, due to the shortfall in cash funds.**

**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>
Administrative Technician	3	3	\$101,949	\$101,949
Benefits.....			\$38,741	\$38,741
Operating.....			\$23,352	\$18,052
Travel.....				

Capital outlay.....	<u>\$12,000</u>	<u></u>
Aid.....	<u></u>	<u></u>
Capital improvements.....	<u></u>	<u></u>
TOTAL.....	<u>\$176,042</u>	<u>\$158,742</u>