

PREPARED BY: Kenneth Boggs
 DATE PREPARED: February 21, 2024
 PHONE: 402-418-0382

LB 890

Revision: 00

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				
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 890 outlines a specific legal procedure related to sealed records. It states that upon request, the court clerk is required to provide certified copies of such sealed records to any county attorney, city attorney, or attorney representing the individual whose record has been sealed. These records can be used for two main purposes:

1. At hearings related to the transfer of a case to or from juvenile court or district court, as specified under section 29-1816 or 43-274.
2. In the prosecution of a subsequent offense committed by the individual whose record has been sealed.

The Supreme Court states that the implementation of LB890 is estimated to have a minimal fiscal impact regarding the education of judicial and court staff, as it does not require additional resources. It is assumed under LB890 that requests for sealed records are not required to be submitted electronically. Implementing a requirement for electronic submission of such requests would, however, entail a significant fiscal impact.

County courts could have fiscal impact but is unknown at this time.

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
LB: 890	AM:	AGENCY/POLT. SUB: Nebraska Supreme Court (005)
REVIEWED BY: Joe Wilcox	DATE: 02/21/2024	PHONE: (402) 471-4178
COMMENTS: No disagreement with the Supreme Court estimate of Minimal Fiscal Impact to the Agency from LB 890, with No additional resources required.		

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
LB: 890	AM:	AGENCY/POLT. SUB: Nebraska Association of County Officials
REVIEWED BY: Joe Wilcox	DATE: 01/10/2024	PHONE: (402) 471-4178
COMMENTS: No reason to disagree with the Nebraska Association of County Officials (NACO) estimate of potential, but Indeterminate Fiscal Impact to Nebraska Counties from LB 890.		

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

2024

LB⁽¹⁾ 890

FISCAL NOTE

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

Prepared by: ⁽³⁾ Eric Asboe Date Prepared: ⁽⁴⁾ 2/20/24 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	_____	_____	_____	_____
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
TOTAL FUNDS	=====	=====	=====	=====

Explanation of Estimate:

Minimal fiscal impact to provide judicial and court staff education. No additional resources required. It is assumed that LB890 does not mandate that requests for sealed records be delivered electronically. There would be a significant fiscal impact to implement that requirement.

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⁾ 890

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾ Nebraska Association of County Officials (NACO)

Prepared by: ⁽³⁾ Elaine Menzel Date Prepared: ⁽⁴⁾ 1/9/2024 Phone: ⁽⁵⁾ 402.434.5660

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	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
TOTAL FUNDS	=====	=====	=====	=====

Explanation of Estimate:

LB 890 would require the clerk of the court to provide certified copies of sealed juvenile records to any county attorney, city attorney, or attorney representing the individual whose record has been sealed for purposes of being offered:

- (i) At a hearing on a motion to transfer a case to or from juvenile court or district court under section 29-1816 or 43-274; or
- (ii) In the prosecution of a subsequent offense.

The fiscal impact would include an undetermined number of records and the total fiscal impact is also is unknown.

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.....	_____	_____	_____	_____