

Revised due to General File amendments

FISCAL NOTE

LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)

	FY 2025-26		FY 2026-27	
	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 298, as amended on General File by AM1554 and AM1504, amends provisions related to the Legislature, including the following:

- Renames statutory provisions related to the Office of Public Counsel as the Office of Public Counsel Act;
- Includes confidentiality provisions for the Office of Public Counsel;
- Clarifies that the Executive Board may issue subpoenas at the request of the Public Counsel in certain circumstances;
- Creates the Division of Legislative Oversight (division) within the Legislature and provides for appointment of the director;
- Includes responsibilities for the division, including Legislative Audit, the Office of Inspector General of Child Welfare, and the Office of Inspector General of the Nebraska Correctional System, and clarifies that the staff will be housed within the division;
- Creates the Legislative Oversight Committee (committee) as a special committee and identifies membership and responsibilities and eliminates provisions and references related to the Legislative Performance Audit Committee;
- Clarifies responsibilities, confidentiality, access to records, reporting, and subpoena power of the committee at the request of the Inspector General for the Office of Inspector General of Child Welfare;
- Clarifies responsibilities, confidentiality, access to records, reporting, and subpoena power of the committee at the request of the Inspector General for the Office of Inspector General of the Nebraska Correctional System;
- Clarifies records available to the Legislative Council or any division of the Legislature are not subject to the procedures for public records in section 84-712 to 84-712.09;
- Clarifies subpoena power of the Executive Board or Appropriations Committee at the request of the Director of Research or Legislative Fiscal Analyst, respectively;
- Amends provisions related to the Legislative Audit Office to clarify operation under the Director of Legislative Oversight and the committee;
- Clarifies subpoena power of the committee at the request of the Legislative Auditor;
- Outright repeals several definition sections in the Office of Inspector General of Nebraska Child Welfare Act, and replaces certain definitions;
- Outright repeals section 50-421, which creates the office of Legislative Audit as the office is now created within the division in section 86 of the bill;
- Outright repeals section 47-906, which relates to access of information for the Office of Inspector General of the Nebraska Correctional System.

The Legislative Council estimates costs related to an additional division director within the agency, if the position is a newly created FTE. Costs range from \$15,800-\$208,024 in FY2025-26 and from \$16,272-\$210,609 in FY2026-27, depending on the staffing pattern applied. Any such costs can be accommodated within the current agency appropriation for FY2025-26 and FY2026-27. However, additional funds will be required thereafter, if the resulting staffing pattern adds one FTE.

Appropriations related to the Office of Inspector General of Child Welfare and the Office of Inspector General of the Nebraska Correctional System, including staff and operating expenses, are transferred from the Office of Public Counsel budget program to the budget program for the newly created division. There is no net fiscal impact related to the transfer of appropriations.

As shown in previously submitted responses, the Supreme Court estimates no fiscal impact. Department of Health and Human Services estimates 6 hours of staff time will be needed to update the agency's standard operating procedures, but that the costs for such time can be absorbed within their current resources. There is no basis to disagree with these estimates.

The Nebraska Department of Correctional Services estimates the need for 1 FTE Legislative Coordinator. However, we disagree that this additional position is necessary because the changes in the bill do not increase the responsibilities of the agency related to data or review of reports sufficiently to necessitate the need for additional full-time personnel.