

Revised to reflect all adopted 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	\$134,000			
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS	\$134,000			

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

LB530 as amended by AM1230 to Committee AM1149, FA165, AM1218, AM1219, AM1220, and AM1238 contains provisions of the following bills: LB6(original), LB44(amended), LB124(original), LB395(amended), LB404(amended), LB530(amended), LB556 (partial), LB600 (partial), and LB684(amended).

This bill amends Nebraska's Criminal Code in Nebraska §28-101 to create a new offense for intentional tampering without authority of an electronic monitoring device. This includes removing, destroying, altering, damaging, and circumventing the operation of the device. If the electronic monitoring device was required to be worn or used as a condition of parole or pursuant to a court order, then tampering with the device is a Class I misdemeanor,

Nebraska §28-306 is modified to increase the penalties and driving restrictions if convicted of various categories of motor vehicle homicides, including those involving drivers who are under the influence of alcohol or drugs, or driving with a revoked license, plus second and subsequent violations. If convicted of a Class I misdemeanor or a Class IIIA felony, the courts can impose as a part of the judgment if convicted an order that a person to not drive for up to 2 years and have their operator's license suspended for 2 years. If convicted of a Class IIA felony or a Class II felony, the courts can impose at judgment if convicted, that a person to not drive for up to 15 years and have their operator's license suspended for 15 years.

The bill under Nebraska §28-394, raises the class of motor vehicle homicide of an unborn child if the proximate cause of the death of an unborn child is the operation of a motor vehicle violates Nebraska §60-6,196 or Nebraska §60-6,197.06, from a Class IIIA felony to a Class IIA felony. Then, the penalty which the courts can impose at judgment if convicted of a Class I misdemeanor or a Class IIIA felony, would be an order that the person not drive for up to 2 years and have their operator's license suspended for 2 years. If convicted of a Class IIA or a Class II felony, then the penalty which the courts can impose at judgment would be that the person not to drive any motor vehicle for any purpose for a period of at least 60 days and not more than 15 years after the date ordered by the court, plus the person's operator's license shall be revoked for the same period. The revocation shall not run concurrently with any jail term imposed.

LB530 as amended, would increase penalties for drug-related offenses under Nebraska §28-416 when the cases involve firearms, or result in serious harm or death. Persons convicted of violations in this section, will receive enhanced penalties with directed higher penalty classifications if the violations involved the convicted using a controlled substance, while directly or proximately causing the death or serious bodily injury of another person. Under these enhanced penalties, there shall be no enhancement which would result in penalty greater than a Class IB felony.

This bill would adjust the firearm possession offense under Nebraska §28-1204.05 for those under the age of 25 years, who commit the offense of knowingly possessing a firearm by a prohibited juvenile offender, when the juvenile has previously been adjudicated in juvenile court for a misdemeanor or felony domestic violence crime. This section would also apply to those juvenile domestic violence offenses where the juvenile recorded has been sealed once their probation has been terminated.

The probation and administrative fees under Nebraska §29-2262.06 maybe waived by the courts in part or completely, if the offender has previously been found to be indigent in the case for which they were placed on probation; or after a determination is made that these fees would be an undue hardship on the offender a hearing. These fees would only be waived for a time period during which the probationer or participant in a non-probation-based program or service is not able to pay for their monthly fees.

This bill would allow the court under Nebraska §29-2263 upon joint application of the probation officer and the probationer, to extend the term of probation up to 5 years of time upon conviction of a felony or second offense misdemeanor, and 2 years upon conviction of a first offense misdemeanor.

LB530 as amended would modify Nebraska §29-2267 such that when a motion or information to revoke probation is filed, the term maybe extended at the joint request of the probationer and prosecutor until final resolution of the motion or until the maximum period of probation is met for the offense the probationer was placed on probation. A court shall accept a request to extend the probation term as long as the probationer is represented by counsel; or when in open court, the court finds the probationer makes the request freely, voluntarily, knowingly, and intelligently.

This bill amends Nebraska §29-3001 to provide that on the date a prisoner reaches the age of 21 years, for an offense committed before the prisoner was 18 years, a 1 year limitation period for filing postconviction relief begins.

The bill clarifies the definition of detention in the Nebraska Juvenile Code under Nebraska §43-245, to mean the temporary care of a juvenile in a physically restrictive facility designed with constructions or fixtures to control the movement of the juvenile to secure the juvenile's lawful custody.

LB530 as amended, would create a new provision of law which states that when a peace officer takes a juvenile probationer into custody for a criminal violation as defined in Nebraska §43-286.01, the officer shall instantly take reasonable measures to notify a juvenile intake probation officer.

This bill would amend Nebraska §43-250, so when there is an arrest of a juvenile for a felony or misdemeanor which involve firearms or deadly weapons, the probation office will determine if there is a need for the juvenile to be detained (as in Nebraska §43-260.01). If results of a standardized juvenile detention screening instrument indicate that detention is not required, the probation officer shall recommend to the judge that the juvenile be released without restriction, or to an alternative to detention. The probation officer shall also determine the need for detention upon other instances of a juvenile arrest. Under this statute, when a juvenile is released without bond, the warrant issuing court shall be notified of the juvenile's release. Additionally, Nebraska §43-260.01 also provides that a juvenile may not be released without bond when:

- 1) The release would not be in the best interest of the juvenile;
- 2) The physical safety of the community members would be seriously threatened;
- 3) The juvenile has a demonstrable record of willful failure to appear at scheduled court hearings within the last year;
- 4) The juvenile has a demonstrable record of fleeing from law enforcement;
- 5) The juvenile has absconding from a court-ordered placement or home;
- 6) The juvenile has committed a violent offense;
- 7) The juvenile has committed multiple property crimes; and
- 8) The juvenile has threatened to cause harm to self or others.

LB530 as amended, in Nebraska §43-251.01 specifies that a juvenile who is 10 years old or under, shall not be placed in detention under any circumstances. Additionally, this statute provides that a juvenile 11 years old and over, may be detained when:

- 1) The juvenile has a demonstrable record of willful failure to appear at scheduled court hearings within the last year;
- 2) The juvenile has a demonstrable record of fleeing from law enforcement;
- 3) The juvenile has absconding from a court-ordered placement or home;
- 4) The juvenile has committed a violent offense;
- 5) The juvenile has committed multiple property crimes; and
- 6) The juvenile has threatened to cause harm to self or others.

The bill provides in Nebraska §43-253 that a juvenile in detention may only waive their hearing to determine if continued detention, services, or supervision is necessary, before a court of competent jurisdiction, if the waiver has the agreement of the juvenile's counsel and the county or city attorney. Under no case shall the court or probation officer release a juvenile if it appears that:

- 1) The detention of the juvenile is a matter of immediate and urgent necessity for the protection of the juvenile;
- 2) The juvenile has a demonstrable record of fleeing from law enforcement;
- 3) The juvenile has absconding from a court-ordered placement or home;
- 4) The juvenile has committed a violent offense;
- 5) The juvenile has committed multiple property crimes; and
- 6) The juvenile has threatened to cause harm to self or others.

This bill establishes that if a juvenile court decides to place a juvenile on probation, then the court must conduct a hearing to determine whether the juvenile is a high-risk juvenile probationer or not; and establishes the criteria to be used in making such a determination. This hearing may take place along with the dispositional hearing or after a motion to revoke probation.

LB530 as amended by Nebraska §43-286.01 defines a criminal violation, a graduated response, and a high-risk juvenile probationer. This statute also establishes how high-risk juvenile probationers should be managed by their probation officers; and when those officers should make reports to county attorneys.

Additionally, this bill states that at least 30 days prior to a juvenile's probation term expiring, the probation officer must provide to the county attorney and the juvenile's attorney, a progress report which includes all court orders, all conditions of, violations of, and any information related to the juvenile's probation term. If the county attorney determines that the juvenile's probation should be revoked, they must file a motion for revocation at least 14 days prior to the juvenile's probation term expiring; and a revocation hearing must be scheduled before the probation term expires.

LB530 as amended, provides that when a juvenile court has placed a juvenile on electronic monitoring under Nebraska §43-2,108, the order must designate law enforcement officers who are allowed to receive such data. Then, the Office of Probation Administration shall provide access to the electronic monitoring database to the designated law enforcement officer/agency. Additionally, the Office of Probation Administration shall provide the Nebraska Commission on Law Enforcement and Criminal Justice with readily accessible access through the state's criminal justice information system, for the purpose of providing the following information:

- 1) The juvenile's name;
- 2) Both the juvenile's parents or guardians and probation officer's name and contact information;
- 3) The court-ordered terms of the probation;
- 4) The placement of the juvenile if placed out of home;
- 5) Whether or not the juvenile is a prohibited juvenile offender under Nebraska §28-1204.05;
- 6) The juvenile's search and seizure status;
- 7) The juvenile's criminal associations, and
- 8) The name of the school which the juvenile is attending.

This bill would ensure under Nebraska §43-2,108.05 that when a court orders a juvenile's record sealed, the court must at that time explain to the juvenile if they are to be prohibited from possessing a firearm under Nebraska §28-1204.05. A juvenile's sealed record may be viewed by law enforcement agencies for the purpose of determining a 25 years or younger's firearm eligibility if the person has been previously adjudicated for an act which would constitute a felony or a misdemeanor crime of domestic violence as defined in Nebraska §28-1204.05.

Additionally, LB530 as amended would require the Office of Probation Administration, on or before the 1<sup>st</sup> day of the month, to produce a list of all juvenile probationers in each county; and provide such list to all the law enforcement agencies with jurisdiction.

The bill would add new definition for a vulnerable road user under the Nebraska Rules of the Road (Nebraska §60-605) to be identified as:

- 1) A pedestrian on a highway and constructing or repairing the highway or working on utilities along the highway;
- 2) A pedestrian providing emergency services on or along the highway;
- 3) A pedestrian in a crosswalk or on the shoulder;
- 4) An individual operating a bicycle, electric bicycle, motorcycle (not an autocycle), moped, or a vehicle which is similar;
- 5) An individual riding any animal or driving an animal-drawn vehicle on or along the highway;
- 6) An individual operating an implement of husbandry or a farm tractor on or along the highway;
- 7) An individual in a crosswalk or on the shoulder on a coaster, skate, sled, board, toy vehicle, electric personal assistive mobility device, or in a wheelchair.

LB530 as amended, would increase speeding fines on highways and freeways under Nebraska §60-682.01 for those who are convicted of operating a motor vehicle over the maximum speed limit as follows:

- 1) For traveling 1-5 mph over the authorized speed limit the fine would increase from \$10 to \$50;
- 2) For traveling 6-10 mph over the authorized speed limit the fine would increase from \$25 to \$75;
- 3) For traveling 11-15 mph over the authorized speed limit the fine would increase from \$75 to \$125;
- 4) For traveling 16-20 mph over the authorized speed limit the fine would increase from \$125 to \$200;
- 5) For traveling 21-35 mph over the authorized speed limit the fine would increase from \$200 to \$300; and
- 6) For traveling over 35 mph above the authorized speed limit the fine would increase from \$300 to \$400.

If the person was convicted of speeding within a maintenance, repair, construction zone, or within a school crossing zone, the fines would be doubled.

In addition, this bill would add a new section of statute which permits the Nebraska Department of Transportation (NDOT) to temporarily reduce the maximum speed limit on a highway in these circumstances:

- 1) When the visibility is reduced down to approximately ¼ a mile or less;
- 2) For any condition which may result in reduced vehicle traction to the highway, or for any object on the highway;
- 3) Emergency situations; and
- 4) A reduction in traffic mobility/speed, or traffic congestion.

The NDOT must prominently display the reduced maximum speed limit on an electronic or digital signage, for the reduced maximum speed limit to be in force. The reduced speed limit will then be in effect until another electronic or digital signage, nonelectric signage, or nondigital signage shows that the maximum speed limit has been raised back up to the normal limit. The reduction of the maximum speed limit, shall be done in 5 mph increments. If there is a temporary reduction in speed limit in effect; then no minimum speed limit

will be in effect for that same area. The NDOT shall create and put into practice policies, and keep appropriate records relating to the speed limit changes.

This bill amends Nebraska §60-6,213 to state that for the purpose of determining if a driver is guilty of reckless driving, evidence that the person was driving more than double the maximum lawful speed limit shall be prima facie evidence that the driver was driving with indifference or wanton disregard for the safety of persons or property.

LB530 as amended will modify Nebraska §60-6,378 to require that drivers proceed with “due care and caution” when approaching or passing a stopped vehicle located on the same side of the highway. Additionally, the driver is compelled to move over one lane, if they are on a multilane state highway. In instances where there are not two adjacent lanes in the same direction, then the driver shall reduce their speed, maintain a safe speed, while proceeding with due care and caution. In both cases, the driver shall always proceed as directed by peace officers, authorized emergency personnel, or road assistance personnel (which includes NDOT, Nebraska State Patrol, U.S.DOT, and utility company agents). Violators of this will be guilty of a traffic infraction, unless it is their second of subsequent violation committed within 5 years of a previous conviction, then they will be guilty of a Class IIIA misdemeanor. If there are no individuals present in or near the stopped vehicle, and it is unoccupied, then this does not apply. Moving into another lane is not required, if it would be unsafe or impractical to do. In addition, this section does not relieve the stopped vehicle driver from their duty operate or stop their vehicle with regards to the safety of all those using the highway.

Finally, this bill would require the driver of a motor vehicle to proceed with due care and caution upon approaching or passing a vulnerable road user. The driver is compelled to yield the right-of-way, and move over one lane away from the vulnerable road user, if they are on a multilane state highway. In instances where there are not two adjacent lanes in the same direction, then the driver shall reduce their speed while maintaining a safe speed with regards to: the location of the vulnerable road user, the weather, the road conditions, and other vehicle or pedestrian traffic (all while proceeding with due care and caution). In all cases, the driver shall always proceed as directed by peace officers, authorized emergency personnel, or road assistance personnel (which includes NDOT, Nebraska State Patrol, U.S.DOT, and utility company agents). Violators of this will be guilty of a traffic infraction, unless it is their second of subsequent violation committed within 5 years of a previous conviction, then they will be guilty of a Class IIIA misdemeanor. Finally, the vulnerable road users do not have a right to be on or along the highway if doing so is in violation of any other state or local law.

This bill would become effective 3 months after adjournment of the session.

#### Expenditures:

The Nebraska Supreme Court would incur an increase in expenditures from one-time modifications to the JUSTICE and NPACS (the primary court and probation computer systems) of \$134,000 cash funds in FY2025-26 only. Additionally, there are numerous indeterminate fiscal impacts which could occur from probation term extensions, possible increased workload from high-risk juvenile probationer hearings and detention, and judicial education. These fiscal impacts cannot be identified at this time, as the number of cases is unknown. However, if the additional fiscal burden becomes too much to be absorbed by their current appropriation, the Supreme Court can ask for an adjustment during the mid-biennium budget process.

The Nebraska Department of Correctional Services would sustain an increase in expenses for holding new prisoners, if additional cases result in prison time. The number of additional prisoners is unknown, as are any associated expenses at this time.

The Nebraska Department of Transportation will be able to perform duties associated with LB530 with their current appropriation.

The Nebraska Department of Motor Vehicles, the Nebraska State Patrol, and the Nebraska Crime Commission have all indicated no fiscal impact.

The Nebraska Association of County Officials has estimated the cost to the counties for detaining 11 and 12 year old juveniles to be approximately \$7,560,000 each year of the biennium.

There is no basis to disagree with these estimations of fiscal impact.

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
LB: 530	AM: 1218, 1219, 1220, 1230, 1238, FA165	AGENCY/POLT. SUB: 05 Supreme Court
REVIEWED BY: Joe Massey	DATE: 5/8/2025	PHONE: (402) 471-4181
COMMENTS: The 05 Supreme Court's assessment of fiscal impact from LB 530 AM 1218, 1219, 1220, 1230, 1238, FA165 appears reasonable using the assumptions provided		

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
LB: 530	AM: 1218, 1220, 1230, 1238, FA165	AGENCY/POLT. SUB: Nebraska Department of Correctional Services
REVIEWED BY: Joe Massey	DATE: 5/8/2025	PHONE: (402) 471-4181
COMMENTS: The Nebraska Department of Correctional Service's assessment of indeterminate fiscal impact from LB 530 as amended by AM 1218, 1220, 1230, 1238, FA165 appears reasonable.		

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
LB: 530	AM: 1238, 1220, 1230, 1218, FA165	AGENCY/POLT. SUB: : Department of Motor Vehicles
REVIEWED BY: Joe Massey	DATE: 5/8/2025	PHONE: (402) 471-4181
COMMENTS: The Department of Motor Vehicle's assessment of no net fiscal impact from LB530 AM 1238, 1220, 1230, 1218, FA165 appears reasonable.		

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
LB: 530	AM: 1218, 1220, 1230, 1238, FA165	AGENCY/POLT. SUB: Nebraska Association of County Officials
REVIEWED BY: Joe Massey	DATE: 5/8/2025	PHONE: (402) 471-4181
COMMENTS: The Nebraska Association of County Official's assessment of fiscal impact from LB 530 AM 1218, 1220, 1230, 1238, FA165 appears reasonable using the assumptions provided		

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
LB: 530	AM: 1238, 1220, 1230, 1218, FA165	AGENCY/POLT. SUB: : Crime Commission
REVIEWED BY: Joe Massey	DATE: 5/6/2025	PHONE: (402) 471-4181
COMMENTS: The Crime Commission's assessment of no net fiscal impact from LB530 AM 1238, 1220, 1230, 1218, FA165 appears reasonable.		

LB<sup>(1)</sup>

530; AM 1238; AM 1220; Am 1230; FA 165; AM 1218

FISCAL NOTE

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

Prepared by: <sup>(3)</sup> Bryan Tuma

Date Prepared: <sup>(4)</sup> May 2, 2025

Phone: <sup>(5)</sup> 531-893-0405

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	FY 2025-26		FY 2026-27	
	<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 IMPACTFA 165  
AM 12

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

POSITION TITLE	NUMBER OF POSITIONS		2025-26	2026-27
	<u>25-26</u>	<u>26-27</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
Benefits.....				
Operating.....				
Travel.....				
Capital outlay.....				
Aid.....				
Capital improvements.....				
TOTAL.....				

LB<sup>(1)</sup> 530 AM1238 AM1220 AM1230 FA165 AM1218

FISCAL NOTE

State Agency OR Political Subdivision Name: <sup>(2)</sup> Department of Motor Vehicles

Prepared by: <sup>(3)</sup> Bart Moore

Date Prepared: <sup>(4)</sup> May 2, 2025

Phone: <sup>(5)</sup> 402-471-3902

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	FY 2025-26		FY 2026-27	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS				
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS				

Explanation of Estimate:

No Fiscal Impact

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

POSITION TITLE	NUMBER OF POSITIONS		2025-26	2026-27
	25-26	26-27	EXPENDITURES	EXPENDITURES
Benefits.....				
Operating.....				
Travel.....				
Capital outlay.....				
Aid.....				
Capital improvements.....				
TOTAL.....				

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**2025**

**LB<sup>(1)</sup>** 530, AM1238, AM1220, AM1230, FA165, AM1218

**FISCAL NOTE**

State Agency OR Political Subdivision Name: <sup>(2)</sup> Nebraska Association of County Officials

Prepared by: <sup>(3)</sup> Elaine Menzel Date Prepared: <sup>(4)</sup> 5/ 5/2025 Phone: <sup>(5)</sup> 402.434.5660

**ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION**

	<u>FY 2025-26</u>		<u>FY 2026-27</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:**

LB530 would change provisions to motor vehicle homicide and motor vehicle homicide of an unborn child.

AM1238 would change and harmonize provisions to motor vehicle homicide and motor vehicle homicide of an unborn child and various rules of the road provisions. The court would be authorized to waive payment of fees to pay for tests to determine the presence of drugs or alcohol, psychological evaluations, offender assessment screens, and rehabilitative services required in the identification, evaluation, and treatment of offenders if such offender has the financial ability to pay for such services; and to be monitored by an electronic surveillance device or system and to pay the cost of such device or system if the offender has the financial ability in whole or in part if after a hearing a determination is made that such payment would constitute an undue hardship on the offender due to limited income, employment or school status or physical or mental handicap. Amends statute to provide that if the court orders a juvenile record sealed, the juvenile court shall explain that a juvenile is prohibited from possessing a firearm. Incorporates new provisions within the Rules of the Road, including definition of vulnerable road user. Increases fine amounts for speeding violations. The Department of Transportation could temporarily reduce speed limits for any weather or environmental conditions.

AM1220 would amend statutes regarding when a prisoner can petition the court for postconviction relief. Further, a new statute of limitations is added for when a prisoner reaches 21 years of age for an offense when such prisoner was less than 18 years of age.

AM1230 increases from 14 to 30 calendar days the timeframe probation is to send a progress report to the county attorney and to the juvenile's attorney of record. New language would be added to permit law enforcement to request the Office of Probation Administration provide access to the electronic monitoring database.

FA165 modifies from a Class IV felony in some cases to a Class I misdemeanor the penalty for intentionally and without authority remove, destroy, alter, tamper with, damage, or circumvent the operation of an electronic monitoring device required to be worn or used by that person or another person pursuant to a court order or as a condition of parole.

AM1218 modifies provisions within the Criminal Code, including tampering with an electronic monitoring device and determining appropriate timeframes for detention of a juvenile. Further, it would reduce the age from 12 to 10 that a child could be placed in detention for pre-adjudicated youth which costs counties are responsible for.

The majority of changes within LB530, as amended, would have minimal or no fiscal impact; however, the reduction of the age for detention and status offenders would be significant for youth the ages of 11 and 12. Further, detention accommodation would be required for various new circumstances, including:



Detention is necessary to secure the presence of the juvenile at the next hearing, as evidenced by a demonstrable record of willful failure to appear at a scheduled court hearing within the last twelve months; or detention of such juvenile is a matter of immediate and urgent necessity for the protection of such juvenile, as evidenced by a demonstrable record of fleeing from law enforcement, absconding from a court-ordered placement, absconding from home, committing a violent offense, committing multiple property crimes, or threatening to cause harm to self or others; and Detention is a matter of immediate and urgent necessity for the protection of such juvenile, as evidenced by a demonstrable record of fleeing from law enforcement, absconding from a court-ordered placement, absconding from home, committing a violent offense, committing multiple property crimes, or threatening to cause harm to self or others;.

For example, based on a review of Douglas County Youth Center (DCYC) data, there has been an average of twelve youth ages 11 and 12 that were requested to be booked in DCYC in a calendar year. Based on an average length of stay of 180 days, the average cost to the county is \$72,000 for detention at \$400/day per youth. Calculating the 12 youth at that estimated cost it would result in approximately \$864,000 in a calendar year.

For 2024, recorded arrests/citations reported to the Nebraska Crime Commission for 10-12 years old:

Offense Type	Number	Part I or II Offense
Rape	4	Part i
Agg. Assault	25	Part i
Burglary	3	Part i
Larceny-Theft	63	Part i
Motor Vehicle Theft	8	Part i
Other Assault	178	Part il
Arson	2	Part i
Fraud	5	Part il
Stole property (buy, possess, receive)	3	Part il
Vandalism	65	Part II
Weapons (carrying, possessing, etc.)	5	Part II

Calculating the number of Part 1 offenses for 2024 (105 offenses) x \$400/day per youth for detention x an average stay of 180 days equals up increase of \$7,560,000 fiscal impact to counties across the state for possible detention costs due to LB530, AM1218.

**BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE**

**Personal Services:**

**LB**

POSITION TITLE	NUMBER OF POSITIONS		2025-26	2026-27
	25-26	26-27	EXPENDITURES	EXPENDITURES
Benefits.....				
Operating.....				
Travel.....				
Capital outlay.....				
Aid.....				
Capital improvements.....				
TOTAL.....				

LB<sup>(1)</sup>

530, AM1218, AM1219, AM1220, AM1230,  
AM1238, FA165

FISCAL NOTE

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

05 Supreme Court

Prepared by: <sup>(3)</sup>

Eric Asboe

Date Prepared: <sup>(4)</sup>

5/5/2025

Phone: <sup>(5)</sup>

402-326-9215

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	FY 2025-26		FY 2026-27	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS	See below			
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS				

Explanation of Estimate:

LB530, as amended, has the following fiscal impact.

1. One-time modifications to JUSTICE and NPACS the primary court and Probation computer systems. Some but not all the reasons for modifications include a new status of high-risk juvenile probationer, changes to detention criteria, and additional information sharing with the Crime Commission. Estimated FY25-26 General Fund impact: \$134,000.

2. Probation term extensions could increase General Fund expenditures for Probation services and increase Cash Fund revenue from Probation fees. Estimated impact: indeterminate, although not anticipated to be significant, since the length of any extension and type of services continued is unknown.

3. Additional hearings related to high-risk juvenile probationers and detention could increase judicial workload. Estimated impact: indeterminate since the number and length of hearings is unknown.

4. Additional or changes to offenses and penalties. Estimated impact: minimal to provide judicial education. No additional resources required.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE				
Personal Services:				
POSITION TITLE	NUMBER OF POSITIONS		2025-26	2026-27
	25-26	26-27	EXPENDITURES	EXPENDITURES
Benefits.....				
Operating.....				
Travel.....				
Capital outlay.....				
Aid.....				
Capital improvements.....				
TOTAL.....				

LB<sup>(1)</sup> 530 AM1238 AM1220 AM1230 FA165 AM1218

FISCAL NOTE

State Agency OR Political Subdivision Name: <sup>(2)</sup> Nebraska Department of Correctional Services

Prepared by: <sup>(3)</sup> Lisa Stanton

Date Prepared: <sup>(4)</sup> 05/05/2025

Phone: <sup>(5)</sup> (402)479-5702

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	FY 2025-26		FY 2026-27	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS				
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS				

Explanation of Estimate:

LB530 as amended by AM1238, AM1220, AM1230, FA165, and AM1218 could increase the number of persons in prison. The specific amount of impact is indeterminable.

The FY24 per diem cost was \$35.45 for each incarcerated individual, or \$12,937.94 per year.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

POSITION TITLE	NUMBER OF POSITIONS		2025-26	2026-27
	25-26	26-27	EXPENDITURES	EXPENDITURES
Benefits.....				
Operating.....				
Travel.....				
Capital outlay.....				
Aid.....				
Capital improvements.....				
TOTAL.....				

LB<sup>(1)</sup>

530 AM1238, AM1219, AM1220, AM1230,  
AM1218, FA165

FISCAL NOTE

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

Nebraska Department of Transportation

Prepared by: <sup>(3)</sup>

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Date Prepared: <sup>(4)</sup>

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402-479-4691

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	FY 2025-26		FY 2026-27	
	<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:  
LB530 AM1238, AM1219, AM1220, AM1230, AM1218, and FA165 apply to the Nebraska Department of Transportation (NDOT) with regards to requiring development and implementation of a policy for temporarily reducing the maximum speed limit due to weather or environmental conditions which reduce visibility or traction on any highway, an emergency, or traffic congestion reducing mobility or traffic flow. The reduction in speed shall occur in increments of five miles per hour and the speed must be prominently displayed on a digital sign along or above the highway. Records maintaining when the speed limit was changed and the reason for change shall be maintained by NDOT.

If enacted, minimal fiscal impact is anticipated and can be accomplished within existing appropriations.

<u>BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE</u>				
<u>Personal Services:</u>				
POSITION TITLE	NUMBER OF POSITIONS		2025-26	2026-27
	<u>25-26</u>	<u>26-27</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
Benefits.....				
Operating.....				
Travel.....				
Capital outlay.....				
Aid.....				
Capital improvements.....				
TOTAL.....				