

PREPARED BY: Kenneth Boggs
 DATE PREPARED: January 22, 2025
 PHONE: 402-471-0050

LB 65

Revision: 00

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	\$150,000	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.

LB65 removes the court costs, probation fees, drug-testing expenses, and other incidental fees from juveniles and their families for cases processed within the juvenile justice system.

The Supreme Court states that LB 65 will require a one-time \$150,000 Cash Fund expenditure to update the Judicial Branch's case management system, JUSTICE.

Annual revenue losses from eliminated fines, fees, and costs are estimated between \$800,000 and \$1.0 million, impacting multiple cash funds and some counties potentially facing increased expenditures.

The Nebraska Commission on Public Advocacy (NCPA) estimates a revenue loss of \$100,000 in Cash Funds due to the proposed changes. This estimate is based on data from the Annual Caseload Report of the Separate Juvenile Courts for FY 2024 and cases in adult courts involving juveniles aged 16-19.

In prior years, the NCPA has required fund transfers to its cash fund to offset insufficient filing fee revenues needed to meet budget requirements. Further reductions in filing fees will increase the reliance on such transfers to sustain operations. Additionally, reduced filing fees will limit the funds available for the Civil Legal Services Fund and Legal Aid and Services Fund, which support free legal services for low-income Nebraskans.

The Nebraska Crime Commission reports that the Victim Services Cash Fund receives \$1 per court case filed, supporting the Crime Victim Reparations Program. According to recent Supreme Court data, approximately 9,000 to 10,000 juvenile court cases were filed in 2024. If LB65 waives all court-related fees for juveniles, it would result in an estimated \$10,000 annual revenue loss for the fund, impacting its ability to cover reparations costs for crime victims.

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE			
LB: 65	AM:	AGENCY/POLT. SUB: Commission on Public Advocacy	
REVIEWED BY: Jacob Leaver	DATE: 1/13/2025	PHONE: (402) 471-4173	
COMMENTS: Concur with the Commission on Public Advocacy's estimated fiscal impact as a result of LB 65.			

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE			
LB: 65	AM:	AGENCY/POLT. SUB: Crime Commission	
REVIEWED BY: Jacob Leaver	DATE: 1/22/2025	PHONE: (402) 471-4173	
COMMENTS: Concur with the Crime Commission's estimated fiscal impact as a result of LB 65. <u>Technical Note:</u> The amount reflected should be within the Cash Funds.			

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2025

LB⁽¹⁾ 65

FISCAL NOTE

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

Prepared by: ⁽³⁾ Bryan Tuma Date Prepared: ⁽⁴⁾ January 21, 2025 Phone: ⁽⁵⁾ 531-893-0405

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	_____	-10,000	_____	-10,000
TOTAL FUNDS	=====	=====	=====	=====

Explanation of Estimate:

The Victim Services Cash Fund derives \$1 per court case filed. Recent data provided by the Supreme Court identifies approximately 9,000 to 10,000 juvenile court cases were filed in 2024. The fiscal impact of LB 65 which waives all court-related fees for juveniles would translate to an approximate \$10,000 loss of revenue to support the Crime Victim Reparations Program. This Victim Services Cash Fund is used to address reparations costs for victims of crime.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

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

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2025

LB⁽¹⁾ 65

FISCAL NOTE

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

Prepared by: ⁽³⁾ Todd Lancaster Date Prepared: ⁽⁴⁾ 01/10/2025 Phone: ⁽⁵⁾ 402-471-7774

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	_____	-100,000.00	_____	-100,000.00
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
TOTAL FUNDS	<u>_____</u>	<u>-100,000.00</u>	<u>_____</u>	<u>-100,000.00</u>

Explanation of Estimate:

Our estimate includes operating funds for NCPA (§33-156) as well as the Civil Legal Services Fund (§25-3010) and the Legal Aid and Services Fund (§33-107.01). Estimation was made using the Annual Caseload Report of the Separate Juvenile Courts for Fiscal Year 2024. We also estimated the number of cases in adult courts that would include juveniles aged 16-19. Section 14 (§29-4121) will have no fiscal impact. The DNA Testing Act already pays for DNA testing for indigent individuals.

In previous years NCPA has needed funds transfers to our cash fund to supplement the filing fees we receive to meet our budget needs. Further reduction of filing fees will increase the amount of funds we would need to have transferred into our operations cash fund. Also, reducing the filing fees would limit the amount of funds available to be distributed in the Civil Legal Services Fund and Legal Aid and Services Fund which provide free legal services to lower income Nebraskans.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

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

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2025

LB⁽¹⁾ 65

FISCAL NOTE

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

Prepared by: ⁽³⁾ Eric Asboe Date Prepared: ⁽⁴⁾ 1/21/2025 Phone: ⁽⁵⁾ 402-326-9215

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	=====	<u>See below</u>	=====	=====

Explanation of Estimate:

LB65 fiscal impact:

1. Expenditure increase. Estimate one-time \$150,000 General Funds to modify JUSTICE, the Judicial Branch case management system.
2. Revenue decrease. Estimated maximum revenue loss per fiscal year from fines, fees and costs between \$800,000 and \$1.0 million.
 - a. Since some fees and costs are currently waived for juveniles in some jurisdictions, the actual revenue loss may be less than the range shown above.
 - b. Some cash funds and multiple entities such as the Commission for Public Advocacy and the Crime Commission will see the revenue loss. Counties, however, may see an expenditure increase since some fees cannot be waived by the court and are paid by the county.
3. Estimate was derived from JUSTICE data for cases in juvenile court and criminal court for persons under 19.
4. This fiscal note may be amended upon further review of the data and additional information.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

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