

*Handwritten mark*

PREPARED BY: Doug Gibbs  
DATE PREPARED: March 04, 2011  
PHONE: 402-471-0051

**LB 358**

Revision: 00

# FISCAL NOTE

LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES *				
	FY 2011-12		FY 2012-13	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS		See Below		See Below
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS		See Below		See Below

\*Does not include any impact on political subdivisions. See narrative for political subdivision estimates.

LB 358 amends Nebraska Revised Statutes Section 77-2701.16, regarding the sales tax on the furnishing of gas, electricity, sewer, and water service, to amend the definition of gross receipts to reduce a utility's gross receipts by allowing a customer-generator's electricity consumption to be offset by the electricity produced by the customer-generator's qualified facility.

A customer-generator is an end-use electricity customer that generates electricity on the customer's side of the meter from a qualified facility.

A qualified facility generally means a facility for the production of electrical energy that uses renewable energy as an energy source, is controlled by and on the premises of the owner-generator, and meets or offsets the customer-generator's electricity use.

The Department of Revenue, based on the assumption that 400 users over the course of the next four years become customer-generators, estimates the following fiscal impact to the General Fund:

FY2011-12:	(\$ 5,000)
FY2012-13:	(\$11,000)
FY2013-14:	(\$16,000)
FY2014-15:	(\$22,000)

The Department estimates the cost to implement LB 358 to be minimal.

The Legislative Fiscal Office, based on information from the Power Review Board, assumes a slightly lower number of customer-generators over the same period of time and estimates the following fiscal impact:

FY2011-12:	(\$ 4,300)
FY2012-13:	(\$ 9,600)
FY2013-14:	(\$13,600)
FY2014-15:	(\$18,000)

We agree with the Department of Revenue's estimate of cost to implement LB 358.

DEPARTMENT OF ADMINISTRATIVE SERVICES

REVIEWED BY	Lyn Heaton	DATE	3/8/11	PHONE	471-2526
COMMENTS					
DEPT. OF REVENUE – No basis upon which to disagree.					

