

YMS

PREPARED BY: Kathy Tenopir  
DATE PREPARED: February 23, 2011  
PHONE: 471-0058

LB 447

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                                |              |         |              |         |
| CASH FUNDS                                   |              |         |              |         |
| FEDERAL FUNDS                                |              |         |              |         |
| OTHER FUNDS                                  |              |         |              |         |
| TOTAL FUNDS                                  |              |         |              |         |

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

LB447 amends the Political Subdivisions Tort Claims Act and the State Tort Claims Act. LB447 provides that a vehicular pursuit shall be considered ended when a law enforcement officer has made a conscious decision and taken action to terminate pursuit.

LB447 could limit the liability of a political subdivision and the state and therefore reduce costs. Any potential cost savings in the future cannot be estimated.

DEPARTMENT OF ADMINISTRATIVE SERVICES

|  |            |      |         |       |          |
|--|------------|------|---------|-------|----------|
| REVIEWED BY  | Joe Wilcox | DATE | 1/27/11 | PHONE | 471-2526 |
| COMMENTS   |            |      |         |       |          |
| ADMINISTRATIVE SERVICES: Agency identified fiscal impact undetermined at this time. No basis to dispute agency analysis relative to AS-Risk Management.                                      |            |      |         |       |          |
| NEBRASKA STATE PATROL: Concur with agency analysis. Impact would likely be in area of reduced liability claims against the state resulting from pursuit. Not agency-specific operating cost. |            |      |         |       |          |

# 2011 Legislative Bill Proposal Fiscal Note

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Bill #: 447

State Agency: Administrative Services – Risk Management

Prepared by: Shannon Anderson

Date Prepared: 01/24/11

Phone: 402-471-4436

Approved by:

## Estimate of Fiscal Impact – State Agencies

|               | FY 2011-12   |         | FY 2012-13   |         |
|---------------|--------------|---------|--------------|---------|
|               | Expenditures | Revenue | Expenditures | Revenue |
| General Funds |              |         |              |         |
| Cash Funds    |              |         |              |         |
| Federal Funds |              |         |              |         |
| Other Funds   |              |         |              |         |
| Total Funds   |              |         |              |         |

**Explanation of Estimate:** LB 447 would provide that vehicular pursuit shall be considered ended when a law enforcement officer has made a conscious decision and take action to terminate pursuit. While it appears that this language defines when a pursuit ends and thus the State's liability for any resulting injury to person or property, it is difficult to assign a dollar amount to any potential savings.

## Major Objects of Expenditure

**Personal Services:**

| Position Title:      | Number of Positions |       |  | 2011-12      | 2012-13      |
|----------------------|---------------------|-------|--|--------------|--------------|
|                      | 11-12               | 12-13 |  | Expenditures | Expenditures |
| Benefits             |                     |       |  |              |              |
| Operating            |                     |       |  |              |              |
| Travel               |                     |       |  |              |              |
| Capital Outlay       |                     |       |  |              |              |
| Aid                  |                     |       |  |              |              |
| Capital Improvements |                     |       |  |              |              |
| <b>TOTAL</b>         |                     |       |  |              |              |

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FISCAL NOTE LB447  
nebraska state patrol

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|                |              |
|----------------|--------------|
| Prepared By    | little, john |
| Date Prepared  | 1/21/2011    |
| Prepared Phone | 402-479-4945 |

Estimate Provided By State Agency or Political Subdivision

|               | FY 2011-2012 |         | FY 2012-2013 |         |
|---------------|--------------|---------|--------------|---------|
|               | Expenditures | Revenue | Expenditures | Revenue |
| General Funds |              |         |              |         |
| Cash Funds    |              |         |              |         |
| Federal Funds |              |         |              |         |
| Other Funds   |              |         |              |         |
| Total Funds   |              |         |              |         |

Explanation of Estimate:

NO FISCAL IMPACT TO THE NEBRASKA STATE PATROL

Major Objects of Expenditure

| Position Title | Number of Positions |              | FY 2011-2012 | FY 2012-2013 |
|----------------|---------------------|--------------|--------------|--------------|
|                | FY 2011-2012        | FY 2012-2013 | Expenditures | Expenditures |
|                |                     |              |              |              |
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