

**FISCAL NOTE**  
**LEGISLATIVE FISCAL ANALYST ESTIMATE**

<b>ESTIMATE OF FISCAL IMPACT – STATE AGENCIES</b> (See narrative for political subdivision estimates)				
	<b>FY 2013-14</b>		<b>FY 2014-15</b>	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS	41,033		38,333	
CASH FUNDS		(1,313,000)		(1,313,000)
FEDERAL FUNDS				
OTHER FUNDS				
<b>TOTAL FUNDS</b>	<b>41,033</b>	<b>(1,313,000)</b>	<b>38,333</b>	<b>(1,313,000)</b>

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

This bill would eliminate criminal forfeiture and provide for civil forfeiture as prescribed.

There is no fiscal impact to the Supreme Court, Attorney General, or to the Douglas County Department of Corrections from this bill.

The following table summarizes the Nebraska State Patrol's response:

	FY2013-2014	FY2014-2015	FY2013-2014	FY2014-2015
ITEMS	Number of Positions		Expenditures	
Administrative Assistant I	1.00	1.00	28,822	28,822
Benefits			9,511	9,511
Capital Outlay			2,700	0
<b>TOTAL</b>	<b>1.00</b>	<b>1.00</b>	<b>41,033</b>	<b>38,333</b>

The Nebraska State Patrol also estimates an 87.5% reduction in revenues historically received from seizure funds.

See the agency response following for additional details.

<b>ADMINISTRATIVE SERVICES-STATE BUDGET DIVISION: REVIEW OF AGENCY &amp; POLT. SUB. RESPONSES</b>			
LB: <b>LB 256</b>	AM:	AGENCY/POLT. SUB: <b>Supreme Court (005)</b>	
REVIEWED BY: Joe Wilcox		DATE: February 19 <sup>th</sup> , 2013	PHONE: (402) 471-4178
COMMENTS: Concur with the Supreme Court analysis of No Fiscal Impact to the agency from LB 256.			

<b>ADMINISTRATIVE SERVICES-STATE BUDGET DIVISION: REVIEW OF AGENCY &amp; POLT. SUB. RESPONSES</b>			
LB: <b>LB 256</b>	AM:	AGENCY/POLT. SUB: <b>Attorney General (011)</b>	
REVIEWED BY: Joe Wilcox		DATE: January 29 <sup>th</sup> , 2013	PHONE: (402) 471-4178
COMMENTS: Concur with agency analysis of No fiscal impact on the Nebraska Attorney General's Office.			

<b>ADMINISTRATIVE SERVICES-STATE BUDGET DIVISION: REVIEW OF AGENCY &amp; POLT. SUB. RESPONSES</b>			
LB: <b>LB 256</b>	AM:	AGENCY/POLIT. SUB: <b>Douglas County Department of Corrections</b>	
REVIEWED BY: Joe Wilcox		DATE: January 24 <sup>th</sup> , 2013	PHONE: (402) 471-4178
COMMENTS: No basis to dispute analysis of No Fiscal Impact for the Douglas County Department of Corrections.			

Please complete ALL (5) blanks in the first three lines.

LB<sup>(1)</sup> 256 FISCAL NOTE

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

Prepared by: <sup>(3)</sup> John Freudenberg Date Prepared: <sup>(4)</sup> 1-16-13 Phone: <sup>(5)</sup> 471-2687

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	FY 2013-14		FY 2014-15	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS	_____	_____	_____	_____
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
TOTAL FUNDS	=====	=====	=====	=====

Return by date specified or 72 hours prior to public hearing, whichever is earlier.

Explanation of Estimate:

No Fiscal Impact.

MAJOR OBJECTS OF EXPENDITURE

Personal Services:

POSITION TITLE	NUMBER OF POSITIONS		2013-14 EXPENDITURES	2014-15 EXPENDITURES
	13-14	14-15		
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	_____	_____	_____	_____

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# 2013 Legislative Bill Proposal Fiscal Note

**Bill Proposal #: LB 256**

**State Agency: Nebraska State Patrol**

**Prepared by: Carol Aversman**

**Date Prepared: 2/19/2013 Phone: (402)479-4945**

**Approved by:**

## Estimate of Fiscal Impact – State Agencies

	FY 2012 - 2013		FY 2013 - 2014		FY 2014 -2015	
	Expenditures	Revenue	Expenditures	Revenue	Expenditures	Revenue
General Funds			\$41,033		\$38,333	
Cash Funds				(\$1,313,000)		(\$1,313,000)
Federal Funds						
Other Funds						
<b>Total Funds</b>			\$41,033	(\$1,313,000)	\$38,333	(\$1,313,000)

**Explanation of Estimate:**

The State Patrol estimates that LB 256 will result in a reduction of the revenues received by the Nebraska State Patrol Public Safety Cash Fund. The five year average of revenues received from FY 8 through FY 12 total approximately \$1,500,000. LB 256 will require that 50% of all seizure monies received will become the property of the public schools, with the other 50% intended to be split amongst the law enforcement parties involved (for example county law enforcement, the local police departments, the county attorney, and the State Patrol). Accordingly, the Patrol estimates that it will only receive one-eighth of all seizure funds recovered, thereby resulting in an 87.5% reduction in the revenues historically received. The State Patrol budget set forth in LB 195 has anticipated the full revenue received by the State Patrol without the reduction noted above. A reduction in the revenue will impact the ability to carry out the budget submitted.

Historically, the majority of cases involving seized property or funds have been prosecuted at the federal level. LB 256 indicates that it is the Legislature's intent to have such forfeiture proceedings conducted under the laws of civil and equitable procedure as provided in Chapter 25 of the Revised Statutes of Nebraska. Section 13 (4) provides a description of the process that would be required for the disposition of any seized property. Currently, the State Patrol works with key personnel at a handful of federal agencies in the disposition process. The process described in LB 256 would require the State Patrol to coordinate and train personnel at an increased number of entities at the state level and multiple jurisdictions. Such coordination will result in an increase in documentation, coordination, training, and tracking of seized property and its ultimate disposition. As such, the State Patrol estimates the need for an additional Administrative Assistant I in order to ensure the proper process is in place and carried out.

## Major Objects of Expenditure

**Personal Services:**

Position Title:	Number of Positions			2012 - 2013	2013- 2014	2014-2015
	12-13	13-14	14-15	Expenditures	Expenditures	Expenditures
Administrative Assistant I		1			\$28,822	\$28,822
Benefits					\$9,511	\$9,511
Operating						
Travel						
Capital Outlay					\$2,700	
Aid						
Capital Improvements						
<b>TOTAL</b>					\$41,033	\$38,333

Please complete ALL (5) blanks in the first three lines.

**2013**

**LB<sup>(1)</sup> 256 FISCAL NOTE**

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

Prepared by: <sup>(3)</sup> Eric Asboe Date Prepared: <sup>(4)</sup> 2/13/13 Phone: <sup>(5)</sup> 1-4138

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

	<u>FY 2013-14</u>		<u>FY 2014-15</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	_____	_____	_____	_____
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
TOTAL FUNDS	=====	=====	=====	=====

Return by date specified or 72 hours prior to public hearing, whichever is earlier.

Explanation of Estimate:

No fiscal impact.

**MAJOR OBJECTS OF EXPENDITURE**

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2013-14 EXPENDITURES</u>	<u>2014-15 EXPENDITURES</u>
	<u>13-14</u>	<u>14-15</u>		
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	_____	_____	_____	_____

Please complete ALL (5) blanks in the first three lines.

2013

LB<sup>(1)</sup> 256 FISCAL NOTE

State Agency OR Political Subdivision Name: <sup>(2)</sup> Douglas County Department of Corrections

Prepared by: <sup>(3)</sup> Mark Foxall, Ph.D., CJM Date Prepared: <sup>(4)</sup> 23 January 2013 Phone: <sup>(5)</sup> (402) 599-2316

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	FY 2013-14		FY 2014-15	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS	_____	_____	_____	_____
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
TOTAL FUNDS	=====	=====	=====	=====

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Explanation of Estimate:

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MAJOR OBJECTS OF EXPENDITURE

Personal Services:

POSITION TITLE	NUMBER OF POSITIONS		2013-14 EXPENDITURES	2014-15 EXPENDITURES
	13-14	14-15		
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	_____	_____	_____	_____

*[Handwritten signature]*  
1/23/13