

PREPARED BY: Doug Nichols
 DATE PREPARED: February 14, 2013
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LB 538

Revision: 00

FISCAL NOTE
LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)				
	FY 2013-14		FY 2014-15	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS				
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS				

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

This bill would change provisions relating to revocation and suspension of law enforcement training certificates or diplomas.

The Crime Commission states that the fiscal impact of this bill is unknown. See the agency response following for additional details.

ADMINISTRATIVE SERVICES-STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSES			
LB: LB 538	AM:	AGENCY/POLT. SUB: Crime Commission (078) - Revised	
REVIEWED BY: Joe Wilcox	DATE: February 14 th , 2013	PHONE: (402) 471-4178	
COMMENTS: The Crime Commission analysis indicates there would likely be additional costs for the agency resulting from LB 538, however, any additional costs are unknown at this time. The nature of these costs appears to be centered around holding public hearings and writing new rules and regulations relative to the provisions in the bill. As such, these costs for the agency should be minimal.			

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2013

LB⁽¹⁾ 538 FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾ NE Commission on Law Enforcement (Crime Commission)

Prepared by: ⁽³⁾ Bruce Ayers Date Prepared: ⁽⁴⁾ 2-13-2013 Phone: ⁽⁵⁾ 471-0359

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: LB 538 makes changes to State Statue 81-1403. The Police Standards Advisory Council (PSAC) currently has the power to revoke or suspend certificates of training that have been issued to law enforcement officers. Each officer must have a certificate of training to be employed in Nebraska.

Reasons for revoking or suspending certificates include incompetence, neglect of duty, physical, mental, or emotional incapacity, and final conviction of or pleading guilty or nolo contendere to a felony.

New language added to 81-1403 includes: (1) If a physical, mental, or emotional incapacity is determined by the council to exist and be temporary, a certificate shall be suspended. (2) If the incapacity is determined by the council to be permanent, a certificate shall be revoked. (3) The council shall adopt rules and regulations to establish a procedure by which a suspended certificate may be procured. (4) The provisions of this new language regarding the suspension or revocation of a certificate shall be applied retroactively.

There is currently no requirement for law enforcement agencies, governments, pension boards, physicians, and psychologists to provide information to the council regarding the mental or emotional incapacity of a law enforcement officer.

The fiscal impact of LB 538 is unknown. There is a cost involved in writing a new rule and regulation (see (3) above), i.e. staff time and public hearings. Law enforcement agencies do not report the reason why an officer retired. They simply notify the Training Center that the officer has retired from their agency. We do not know how many potential cases are possible, i.e. those who have retired with a medical disability. Currently, if an officer is inactive for 2 years, he or she has to pass 160 hours of training to be put back on active status. If an officer is inactive for 10 years, he or she has to pass the entire basic training course.

MAJOR OBJECTS OF EXPENDITURE

Personal Services:

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

