

PREPARED BY: Kathy Tenopir
DATE PREPARED: January 21, 2015
PHONE: 471-0058

LB 188

Revision: 00

FISCAL NOTE
LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)				
	FY 2015-16		FY 2016-17	
	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.

LB188 amends both the State and the Political Subdivisions Tort Claims Acts regarding a law enforcement officers' vehicular pursuit. LB188 amends both acts to define when a passenger shall not be considered an innocent third party.

The City of Lincoln estimates a savings of \$4,650.

The State indicates the possibility for a reduction of future liability exposure.

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

2015

LB⁽¹⁾ 188

**FISCAL
NOTE**

State Agency OR Political Subdivision Name: ⁽²⁾ Administrative Services – Risk Management

Prepared by: ⁽³⁾ Shannon M. Anderson Date Prepared: ⁽⁴⁾ January 15, 2015 Phone: ⁽⁵⁾ 402-471-4436

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2015-16</u>		<u>FY 2016-17</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	_____	_____	_____	_____
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
TOTAL FUNDS	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

Explanation of Estimate:

LB188 would amend both the Political Subdivision Tort Claims Act and State Tort Claims Act to define when a passenger in or on the fleeing vehicle in a vehicular pursuit shall not be considered an innocent third party.

It would be difficult to predict actual costs and damages subject to the intent of LB188 for purposes of determining potential fiscal impact. However, the bill as written may reduce future exposure to the State.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2015-16</u>	<u>2016-17</u>
	<u>15-16</u>	<u>16-17</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	_____	_____	_____	_____

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

2015

LB⁽¹⁾ 188

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾

City of Lincoln

Prepared by: ⁽³⁾ Steve Hubka/Bill Kostner

Date Prepared: ⁽⁴⁾ 1/15/15

Phone: ⁽⁵⁾ 402 441-7412

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2015-16</u>		<u>FY 2016-17</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	-\$4,650		-\$4,680	
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS	-\$4,680		-\$4,680	

Explanation of Estimate:

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2015-16 EXPENDITURES</u>	<u>2016-17 EXPENDITURES</u>
	<u>15-16</u>	<u>16-17</u>		
Benefits.....				
Operating.....			-\$4,680	-\$4,680
Travel.....				
Capital outlay.....				
Aid.....				
Capital improvements.....				
TOTAL.....			-\$4,680	-\$4,680

Total Police Professional claims this year, paid and incurred, totaled \$1,511,447. About 29% of these claims appear to be related to police pursuit claims, or about 438,964.47. Estimating that 10% of all pursuit claims involve passenger injuries, we took 3% of this year's recommended self-insured funding of \$154,000.

This results in an estimated savings of approximately \$4,620 per year if LB 188 were approved and signed into law.