

FISCAL NOTE
LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)				
	FY 2019-20		FY 2020-21	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS	See Below		See Below	
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.

LB363 establishes the In the Line of Duty Compensation Act for law enforcement officers and paid or volunteer firefighters in Nebraska. The definition of firefighter includes rescue squad and emergency medical services personnel. LB363 provides that if a law enforcement officer or firefighter is killed in the line of duty, compensation shall be paid as follows.

- For deaths that occur in calendar year 2020, compensation shall be \$50,000.
- For deaths that occur in calendar year 2021 and each calendar year thereafter, compensation shall be equal to the amount from the previous calendar year, increased by the Consumer Price Index.

To receive compensation, a claim must be filed with the Department of Administrative Services (DAS) Risk Manager within 1 year after the date of death. The claim is to be processed under the State Miscellaneous Claims Act. Approved claims are to be paid in accordance with subsection (3) of section 81-8,300.

LB363 will increase costs to the State. The amount of the increase cannot be determined since it deals with future events.

DAS Risk Manager indicates no fiscal impact to the division.

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

2019

LB⁽¹⁾ 363

FISCAL NOTE

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

Prepared by: ⁽³⁾ Shereece Dendy-Sanders Date Prepared: ⁽⁴⁾ January 20, 2019 Phone: ⁽⁵⁾ 402-471-4436

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2019-20</u>		<u>FY 2020-21</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	_____	_____	_____	_____
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
TOTAL FUNDS	<u>See below</u>	<u>_____</u>	<u>See below</u>	<u>_____</u>

Explanation of Estimate:

LB 363 seeks to create an ‘In the Line of Duty Compensation Act’ for firefighters and rescue squad members of a paid or volunteer fire department, emergency medical services ambulance squad or law enforcement officer. This Act would extend to those killed in the line of duty while performing their duties, except those of which the individual’s death resulted from willful misconduct or intoxication.

Claims under this Act would be processed through the Miscellaneous Claims Act, with the only exception that these claims would have a statute of limitations of one year. Risk Management may experience an increase in claim filings, however such work would be able to be performed by current staff with current resources.

Claims approved through the Miscellaneous Claims Act are paid by the agency for which the claim originates. If the agency’s funding is General Fund the funds/appropriation is provided, increasing General Fund expenditures. If the agency’s source for the claim is cash or revolving funds the funds are transferred to Risk Management. It is unclear how the funding would be secured for those claims originating outside of state government. LB 363 further outlines the compensation to be paid for those related deaths.

As miscellaneous claims are paid by the agency, there would be no fiscal impact to DAS - Risk Management.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2019-20</u>	<u>2020-21</u>
	<u>19-20</u>	<u>20-21</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	_____	_____	_____	_____