

FISCAL NOTE
LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)				
	FY 2021-22		FY 2022-23	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS				
CASH FUNDS	\$274,000		\$10,300	
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS	\$274,000		\$10,300	

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

LB 370 is the Personal Privacy Protection Act.

Section 2 provides definitions for the Act.

Section 3 prohibits public agencies from requiring any individual or nonprofit organization from providing personal information or compelling the release of personal information. If in possession of personal information, each public agency is prohibited from releasing, publicizing, or publicly disclosing such information. Subsections 2 and 3 provide for exemptions from certain disclosures.

Section 5 provides an operative date of January 1, 2022.

The Secretary of State identifies that the language of LB 370 appears to require redaction of board and officer information on many of the state's public filings related to nonprofit organizations. Under this assumption, the Secretary of State's system vendor estimates a cost of \$150,000 to export existing data, make appropriate redactions, and re import the data. In addition, a one-time cost of \$120,000 is estimated to implement an ongoing automated redaction process. Ongoing costs to maintain the modified system and additional processing fees from the OCIO are estimated to be \$10,300 per year. There is no basis to disagree with these estimates.

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE			
LB: 370	AM:	AGENCY/POLT. SUB: Nebraska Secretary of State	
REVIEWED BY:	Lucas Martin	DATE: 02/23/2021	PHONE: (402) 471-4181
COMMENTS: No basis to disagree with the Secretary of State's assessment of fiscal impact.			

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE			
LB: 370	AM:	AGENCY/POLT. SUB: Nebraska Department of Administrative Services	
REVIEWED BY:	Lucas Martin	DATE: 01/25/2021	PHONE: (402) 471-4181
COMMENTS: No basis to disagree with the Department of Administrative Services' assessment of no fiscal impact.			

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

2021

LB⁽¹⁾ 370

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾ Secretary of State

Prepared by: ⁽³⁾ Joan Arnold Date Prepared: ⁽⁴⁾ 2/12/2021 Phone: ⁽⁵⁾ 402-471-2384

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2021-22</u>		<u>FY 2022-23</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS				
CASH FUNDS	\$274,000		\$10,300	
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS	\$274,000		\$10,300	

Explanation of Estimate:

The language in LB370 prevents public disclosure of personal information of people associated with a nonprofit organization, with some exclusions. Personal information includes “data that directly or indirectly identifies a person as a member, supporter, or volunteer of, or donor of financial or nonfinancial support to, any nonprofit organization...” Without a specific exclusion, this legislation would appear to require redaction of board and officer information on many of our office’s public filings related to nonprofit organizations. Our system vendor estimates that it would cost \$150,000 to export, redact, and re-import over 700,000 pages that are likely to contain “personal information”. Additionally, our system vendor estimates a one-time \$120,000 cost to implement an ongoing automated redaction process for documents that continue to be filed with our office, plus \$6,300 annually for ongoing maintenance of that process. We also expect needing additional virtual server processing, which is estimated at \$4,000 per year ongoing in OCIO fees.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2021-22</u>	<u>2022-23</u>
	<u>21-22</u>	<u>22-23</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
Benefits.....				
Operating.....			\$274,000	\$10,300
Travel.....				
Capital outlay.....				
Aid.....				
Capital improvements.....				
TOTAL.....			\$274,000	\$10,300

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

2021

LB⁽¹⁾ 370

FISCAL NOTE

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

Prepared by: ⁽³⁾ Jennifer Sommars-Link Date Prepared: ⁽⁴⁾ 1-15-2021 Phone: ⁽⁵⁾ 402-471-1405

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2021-22</u>		<u>FY 2022-23</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	_____	_____	_____	_____
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
REVOLVING FUNDS	_____	_____	_____	_____
TOTAL FUNDS	=====	=====	=====	=====

Explanation of Estimate:

LB 370 would prohibit the State from: (1) requiring or compelling an individual to release records or data that identifies the a person as a member, supporter, volunteer, or donor to a nonprofit organization ("personal information"); (2) requiring or compelling any non-profit to provide, release, publicize or disclose personal information, (3) releasing any personal information in the State's possession, and (4) requiring or requesting a current or prospective contractor to provide a list of non-profit corporations which the contractor has provided financial or nonfinancial support.

There is no fiscal impact to DAS.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2021-22</u>	<u>2022-23</u>
	<u>21-22</u>	<u>21-23</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	_____	_____	_____	_____