

PREPARED BY: Scott Danigole
 DATE PREPARED: February 02, 2021
 PHONE: 471-0055

LB 477

Revision: 00

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	\$40,000		\$40,000	
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS	\$40,000		\$40,000	

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

LB 477 requires the Secretary of State, upon receipt of the filing of a petition of initiative or referendum, to review the statement of the object of the petition and text of the proposed measure and provide an advisory opinion as to the legality of the object statement and proposed measure to the sponsor. Such reviews shall be completed within fourteen business days after receipt of the filing. The opinion shall not be legally binding. The Secretary of State shall maintain the advisory opinion as public information and as a part of the official record of the initiative.

The Secretary of State estimates the need to contract for legal services to review such measures. Their estimate is based on historical petition and referendum filings as well as the estimated time to review such issues. The total estimate is for \$40,000 per year.

This estimates appears to be reasonable.

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE			
LB: 477	AM:	AGENCY/POLT. SUB: Nebraska Secretary of State	
REVIEWED BY: Lucas Martin	DATE: 02/5/2021	PHONE: (402) 471-4181	
COMMENTS: No basis to disagree with the Secretary of State's assessment of fiscal impact.			

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

2021

LB⁽¹⁾ 477

FISCAL NOTE

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

Prepared by: ⁽³⁾ Joan Arnold Date Prepared: ⁽⁴⁾ 1/28/2021 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	\$40,000		\$40,000	
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS	<u>\$40,000</u>		<u>\$40,000</u>	

Explanation of Estimate:

LB477 requires the Secretary of State to provide an advisory opinion on the legality of every petition initially filed in our office within 14 business days. During the 2019-2020 election cycle, 16 petitions were received, with some coming in 3 at once. We estimate each advisory opinion would take at least 20 hours to review and we do not believe we could absorb these additional hours within existing staff resources. Therefore, we would require the use of legal consulting services estimated to cost \$250 per hour based on the complexity of the subject matter and short turnaround period. The fiscal impact of these consulting services is estimated at \$40,000 per year (8 petitions per year x 20 hour review x \$250 per hour).

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.....			\$40,000	\$40,000
Travel.....				
Capital outlay.....				
Aid.....				
Capital improvements.....				
TOTAL.....			<u>\$40,000</u>	<u>\$40,000</u>