

**FISCAL NOTE**  
**LEGISLATIVE FISCAL ANALYST ESTIMATE**

<b>ESTIMATE OF FISCAL IMPACT – STATE AGENCIES</b> (See narrative for political subdivision estimates)				
	<b>FY 2023-24</b>		<b>FY 2024-25</b>	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS				
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS	See below		See below	

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

LB 248 would prohibit housing discrimination as defined in the bill. Additionally, LB 248 creates the Landlord Guarantee Program as defined and intends to appropriate \$50,000 in General Funds to the Equal Opportunity Commission for providing grants to landlords as prescribed in the bill.

The bill proposes changes under the Fair Housing Act to prohibit housing discrimination for lawful sources of income. Lawful sources of income includes, but is not limited to: (1) Income derived from social security, child support, foster care subsidies, alimony, or veterans benefits; (2) Any form of federal, state, or local public general assistance or housing assistance whether or not such source of income or credit is paid directly, indirectly, or on behalf of a renter or buyer of housing or is paid or attributed directly to a landlord, including, but not limited to, vouchers given as part of the federal low-income housing assistance authorized under 42 U.S.C. 1437f; (3) Any form of housing assistance payment or credit; and (4) Any other form of lawful income.

The bill further provides grants which are available to landlords who are providing residential housing to tenants receiving housing assistance for unpaid rent or damages. The Equal Opportunity Commission (EOC) would be the administrator for these grants. Landlords may apply for these grants in the manner that the is prescribed by the EOC and provisions of the bill.

The Equal Opportunity Commission is organized as an investigative agency and current staff can respond to complaints of housing discrimination due to the proposed changes of the Fair Housing Act without additional funding.

The number of grants that would be requested is indeterminable, however, the EOC anticipates that the commission would require additional funding for the development and administration of the grant program to landlords. The estimated costs include a FTE for this purpose. Personal, benefits and operations costs for the administration of the fund would total \$75,936 for a full fiscal year. As an operational date is not specified in the bill, it is assumed that the EOC’s personnel costs for the landlord risk mitigation program would include nine months of funding for FY 23-24. If the intent of the bill is for this to be an ongoing grant program, personnel costs would continue each year.

There is no basis to disagree with these estimates.

<b>ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY &amp; POLT. SUB. RESPONSE</b>		
<b>LB: 248 Revised</b>	<b>AM:</b>	<b>AGENCY/POLT. SUB: Nebraska Equal Opportunity Commission (067)</b>
REVIEWED BY: Joe Wilcox	DATE: 02/13/2023	PHONE: (402) 471-4178
COMMENTS: The Revised Nebraska Equal Opportunity Commission (NEOC) estimate of Potential Fiscal Impact to the Agency from LB 248, reflects the cost of one additional Administrative Programs Officer to manage the Grant program identified in the bill. LB 248 states Legislative Intent to appropriate \$50,000 General Funds in FY 2023-24 for a Grant program, but the NEOC Revised fiscal note does not include any impact relative to providing such a grant or grants, and reflects no costs beyond FY 2023-24. If the intent of the bill is to continue this grant funding beyond FY 2023-24, the agency will need the additional position beyond FY 2023-24.		

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**2023**

**LB<sup>(1)</sup> 248 - Revised**

**FISCAL NOTE**

State Agency OR Political Subdivision Name: <sup>(2)</sup> Equal Opportunity Comm

Prepared by: <sup>(3)</sup> Paula Gardner Date Prepared: <sup>(4)</sup> 2/13/2023 Phone: <sup>(5)</sup> 402-471-4061

**ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION**

	<u>FY 2023-24</u>		<u>FY 2024-25</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	<u>75936</u>	<u>                    </u>	<u>                    </u>	<u>                    </u>
CASH FUNDS	<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>                    </u>
FEDERAL FUNDS	<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>                    </u>
OTHER FUNDS	<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>                    </u>
<b>TOTAL FUNDS</b>	<u><u>75936</u></u>	<u><u>                    </u></u>	<u><u>                    </u></u>	<u><u>                    </u></u>

**Explanation of Estimate:**

The language in this bill will expand the number of individuals authorized to file a charge with the NEOC under the housing and public accommodations laws. Charges filed under these revisions in the housing law would be state-based-only claims and not eligible for payment through our HUD contract, since HUD does not have a similar basis under which to file. Allocating our current resources for investigating charges filed under this new basis may reduce the federal HUD funds received by the agency and upon which the agency budget currently relies. How these changes affect our federal funds will be dependent upon the number of charges that get filed under this new basis.

However, the reimbursement program for landlords is not similar to any work the agency currently performs. As an investigative agency, our current staff is trained and utilized to take and process charges of discrimination. If the reimbursement program is included as a duty of the NEOC, we would need to develop and administer the program, which would require a new position. This estimate includes the salary, benefits and operating expenses for one Admin Program Officer I to administer the reimbursement program.

**BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE**

**Personal Services:**

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2023-24</u>	<u>2024-25</u>
	<u>23-24</u>	<u>24-25</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
<u>Admin Program Officer I</u>	<u>1.0</u>	<u>1.0</u>	<u>40832</u>	<u>                    </u>
<u>Benefits.....</u>	<u>                    </u>	<u>                    </u>	<u>34216</u>	<u>                    </u>
<u>Operating.....</u>	<u>                    </u>	<u>                    </u>	<u>885</u>	<u>                    </u>
<u>Travel.....</u>	<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>                    </u>
<u>Capital outlay.....</u>	<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>                    </u>
<u>Aid.....</u>	<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>                    </u>
<u>Capital improvements.....</u>	<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>                    </u>
<b><u>TOTAL.....</u></b>	<u>                    </u>	<u>                    </u>	<u>75936</u>	<u>                    </u>