

FISCAL NOTE
 LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)				
	FY 2024-25		FY 2025-26	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS	See Below			
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS	See Below			

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

LB 883 proposes to remove existing handgun purchase requirements, modify and transfer provisions concerning criminal history records checks for firearms and explosives, introduce penalties for violations, and ensure consistency across related legal provisions.

The Department of Health and Human Services (DHHS) states the approval/disqualification process involves the Electronic Commitment Reporting Application (ECRA) and the FBI's National Instant Criminal Background System (NICS). LB883 expands the mental health conditions covered by ECRA. Upgrades and maintenance of ECRA are currently supported by the NICS Act Record Improvement Program (NARIP). The enhancements required by LB883 need NARIP's approval, followed by updates to ECRA's specifications and budget. The total costs for these upgrades are not yet determined.

Implementing these changes will necessitate additional efforts from the Behavioral Health (BH) department, including providing new materials, training court clerks, and ensuring data accuracy. LB883 also removes the semi-annual reporting obligations for BH and NSP.

Cost breakdown:

- Estimated Costs: \$240,000 for initial tech analysis and development of the application portal, with \$200,000 allocated for 2 Technical Analysts and \$40,000 for a Business Analyst.
- Absorbed Costs: \$12,212 for BH's initial preparations and manual updates, including payments to a Data Administrator and an Administrative Technician.

Unspecified costs include staff time for training, technical support, data checks, space rental, and training materials.

The Supreme Court states that the impact on the judicial workload will be more noticeable in larger jurisdictions but is expected to be minimal across the state. There will be a slight decrease in revenue and minimal fiscal implications for offering judicial education. Additionally, no extra resources are necessary to implement these changes.

Some Counties could have a loss in revenue. There is no basis to disagree with these estimates.

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
LB: 883	AM:	AGENCY/POLT. SUB: Nebraska Department of Health and Human Services (025)
REVIEWED BY: Joe Wilcox	DATE: 02/16/2024	PHONE: (402) 471-4178
COMMENTS: Do not disagree with the Nebraska Department of Health and Human Services (DHHS) estimate of Potential Fiscal Impact to the Agency from LB 883.		

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
LB: 883	AM:	AGENCY/POLT. SUB: Nebraska Supreme Court (005)
REVIEWED BY: Joe Wilcox	DATE: 02/20/2024	PHONE: (402) 471-4178
COMMENTS: No disagreement with the Supreme Court estimate of Minimal Fiscal Impact to the Agency from LB 883, with No additional resources required.		

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
LB: 883	AM:	AGENCY/POLT. SUB: Nebraska State Patrol (064)
REVIEWED BY: Joe Wilcox	DATE: 01/11/2024	PHONE: (402) 471-4178
COMMENTS: No disagreement with the Nebraska State Patrol updated estimate of No Fiscal Impact to the Agency from LB 883.		

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
LB: 883	AM:	AGENCY/POLT. SUB: Douglas County Sheriff's Office
REVIEWED BY: Joe Wilcox	DATE: 01/10/2024	PHONE: (402) 471-4178
COMMENTS: No reason to disagree with the Douglas County Sheriff's Office estimate of potential Revenue loss to the County Sheriff from LB 883.		

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

State Agency or Political Subdivision Name:(2) Department of Health and Human Services

Prepared by: (3) John Meals

Date Prepared 2-16-2024

Phone: (5) 471-6719

	<u>FY 2024-2025</u>		<u>FY 2025-2026</u>	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS	\$240,000	\$0	\$0	\$0
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS	\$240,000	\$0	\$0	\$0

Return by date specified or 72 hours prior to public hearing, whichever is earlier.

Explanation of Estimate:

LB883 repeals and amends statutes relating to the permits for or purchase of handguns, firearms, or explosives in addition to statutes relating to the approval/disqualification process by Nebraska State Patrol (NSP).

This approval/disqualification process uses the Electronic Commitment Reporting Application (ECRA) in conjunction with the Federal Bureau of Investigation’s (FBI) National Instant Criminal Background System (NICS). The changes proposed by LB883 increases the scope of mental health circumstances that ECRA will cover.

Currently, ECRA is upgraded, supported, and maintained via the NICS Act Record Improvement Program (NARIP). Adding the additional upgrades designated by LB883 will require approval by NARIP then specification and budget revisions for ECRA. Currently, it is not possible to identify the full cost of these additional system upgrades.

Once these upgrades are implemented, staff-time from the department of Behavioral Health (BH) will be required to provide updated reference material, train the clerks of courts in data entry, and perform data integrity checks.

LB883 will eliminate the biannual reporting requirement for BH and NSP.

Identified Costs: \$240,000

- Information Systems and Technology (IS&T) initial scoping and application portal development.
 - 2 Technical Analysts: \$200,000
\$100 per hour x 200 hours
 - 1 Business Analyst: \$40,000
\$80 per hour x 500 hours

Absorbed Costs: \$12,212

- BH initial scoping and manual revisions
 - Data Administrator: \$3,378
\$40.086 x 40 hours (plus FICA, retirement, and employer health insurance cost)
 - Administrative Technician: \$8,834
\$24.365 x 80 hours (plus FICA, retirement, and employer health insurance cost)

Unknown Costs

- BH
 - Staff time for training, technical assistance, and data integrity checks.
 - Space rental and training material.

MAJOR OBJECTS OF EXPENDITURE				
PERSONAL SERVICES:				
POSITION TITLE	NUMBER OF POSITIONS		2024-2025	2025-2026
	24-25	25-26	EXPENDITURES	EXPENDITURES
Benefits.....				
Operating.....			\$240,000	\$0
Travel.....				
Capital Outlay.....				
Aid.....				
Capital Improvements.....				
TOTAL.....			\$240,000	\$0

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

2024

LB⁽¹⁾ 883

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾ 05 Supreme Court

Prepared by: ⁽³⁾ Eric Asboe Date Prepared: ⁽⁴⁾ 2/19/2024 Phone: ⁽⁵⁾ 402-326-9215

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2024-25</u>		<u>FY 2025-26</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	_____	See below	_____	See below
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
TOTAL FUNDS	=====	=====	=====	=====

Explanation of Estimate:

LB883 repeals the handgun certificate process in statute sections 69-2401 through 69-2425. These sections include an appeal process to county court. Each case requires a \$10 filing fee, currently deposited in the General Fund. Data shows 118 appeals filed in FY21-22 and 126 in FY22-23. Although the impact on judicial workload will be somewhat greater in larger jurisdictions, state-wide it should not be significant. Minimal reduction in revenue. Minimal fiscal impact to provide judicial education on this topic. No resources required.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2024-25</u>	<u>2025-26</u>
	<u>24-25</u>	<u>25-26</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.

2024

LB⁽¹⁾ 883

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾ Nebraska State Patrol

Prepared by: ⁽³⁾ Carol Aversman Date Prepared: ⁽⁴⁾ 01-09-2024 Phone: ⁽⁵⁾ 402-475-4545

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2024-25</u>		<u>FY 2025-26</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	_____	_____	_____	_____
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
TOTAL FUNDS	=====	=====	=====	=====

Explanation of Estimate:

NO FISCAL IMPACT.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2024-25</u>	<u>2025-26</u>
	<u>24-25</u>	<u>25-26</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.

2024

LB883⁽¹⁾ *Eliminate a requirement to obtain a handgun purchase certificate and change provisions on criminal history record checks for firearms and explosives*

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾ DOUGLAS COUNTY SHERIFF OFFICE

Prepared by: ⁽³⁾ Chief W. Rinn Date Prepared: ⁽⁴⁾ 09 Jan 2024 Phone: ⁽⁵⁾ 402-444-7976

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2024-25</u>		<u>FY 2025-26</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS		<u>(\$25,000)</u>		<u>(\$25,000)</u>
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS		<u>(\$25,000)</u>		<u>(\$25,000)</u>

Explanation of Estimate:

The DCSO processes an average of 6,000 Handgun Purchase Permits annually. Processing fees are set at \$5.00 per application to cover some of the cost of research/processing.

As the actual number of permits varies slightly from year to year, \$25,000 represents a close approximation of the **annual LOSS in revenue** and may be as much as \$30,000 in any given year based if LB883, or similar legislation, becomes law.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2024-25</u>	<u>2025-26</u>
	<u>24-25</u>	<u>25-26</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
Benefits.....				
Operating.....				
Travel.....				
Capital outlay.....				
Aid.....				
Capital improvements.....				
TOTAL.....				