

PREPARED BY: Kenneth Boggs  
 DATE PREPARED: March 24, 2025  
 PHONE: 471-0050

**LB 386**

Revision: 00

**FISCAL NOTE**  
 LEGISLATIVE FISCAL ANALYST ESTIMATE

<b>ESTIMATE OF FISCAL IMPACT – STATE AGENCIES</b> (See narrative for political subdivision estimates)				
	<b>FY 2025-26</b>		<b>FY 2026-27</b>	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS				
CASH FUNDS				
FEDERAL FUNDS	\$731,488		\$762,807	
OTHER FUNDS				
<b>TOTAL FUNDS</b>	<b>\$731,488</b>		<b>\$762,807</b>	

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

LB386 creates the Regional Mental Health Expansion Pilot Program Act, which creates a model of regional cooperation among law enforcement agencies. Administered by the Nebraska Commission on Law Enforcement and Criminal Justice, in cooperation with the Attorney General, the pilot program grants funding to a single county law enforcement agency to expand mental health bed space, potentially within its jail facility.

The bill clarifies that it does not criminalize mental health issues and only allows temporary custody in these designated mental health beds for individuals already in crisis, rather than using such detention punitively. Additionally, LB386 expands the use of videoconferencing under the Nebraska Mental Health Commitment Act and the Sex Offender Commitment Act, enabling hearings and evaluations to occur remotely while maintaining individuals' rights, including the right to confront witnesses.

The Supreme Court has stated that LB 386 will have a minimal fiscal impact and will not require any additional resources.

The Nebraska Crime Commission would incorporate the program into its Community Services Division, requiring a pay adjustment for the current administrator, creation of a Federal Aid Administrator III position to track federal funds, and additional operating and capital outlay costs subject to Bureau of Justice Administration review. The fiscal note assumes federal grant funding for jail facility improvements and proposes a third-party contractor to provide mental health or crisis intervention services.

Counties could see a potential fiscal saving.

There is no basis to disagree with these estimates.

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE			
LB: 386	AM:	AGENCY/POLT. SUB: Supreme Court	
REVIEWED BY: Jacob Leaver	DATE: 3/25/2025	PHONE: (402) 471-4173	
COMMENTS: Concur with the Supreme Court's estimate of minimal fiscal impact as a result of LB 386.			

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE			
LB: 386	AM:	AGENCY/POLT. SUB: Department of Correctional Services	
REVIEWED BY: Jacob Leaver	DATE: 2/5/2025	PHONE: (402) 471-4173	
COMMENTS: Concur with the Department of Correctional Services' estimate of no fiscal impact as a result of LB 386.			

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
LB: 386	AM:	AGENCY/POLT. SUB: Crime Commission
REVIEWED BY: Jacob Leaver	DATE: 1/22/2025	PHONE: (402) 471-4173
COMMENTS: Concur with the Crime Commission's estimated fiscal impact as a result of LB 386.		

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
LB: 386	AM:	AGENCY/POLT. SUB: Nebraska Association of County Officials
REVIEWED BY: Jacob Leaver	DATE: 1/27/2025	PHONE: (402) 471-4173
COMMENTS: The Nebraska Association of County Officials' estimate of potential savings as a result of LB 386 appears reasonable.		

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

2025

LB<sup>(1)</sup> 386

FISCAL NOTE

State Agency OR Political Subdivision Name: <sup>(2)</sup> Attorney General

Prepared by: <sup>(3)</sup> Darrin Schultz Date Prepared: <sup>(4)</sup> 1-23-25 Phone: <sup>(5)</sup> 402-471-2687

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	FY 2025-26		FY 2026-27	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS	_____	_____	_____	_____
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
TOTAL FUNDS	=====	=====	=====	=====

Explanation of Estimate:

No fiscal impact

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

POSITION TITLE	NUMBER OF POSITIONS		2025-26 EXPENDITURES	2026-27 EXPENDITURES
	25-26	26-27		
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	_____	_____	_____	_____

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

**2025**

**LB<sup>(1)</sup> 386**

**FISCAL NOTE**

State Agency OR Political Subdivision Name: <sup>(2)</sup> Crime Commission

Prepared by: <sup>(3)</sup> Bryan Tuma Date Prepared: <sup>(4)</sup> January 21, 2025 Phone: <sup>(5)</sup> 531-893-0405

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

	<u>FY 2025-26</u>		<u>FY 2026-27</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	_____	_____	_____	_____
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	<u>731,488.25</u>	_____	<u>762,807.00</u>	_____
OTHER FUNDS	_____	_____	_____	_____
TOTAL FUNDS	<u>731,488.25</u>	_____	<u>762,807.00</u>	_____

**Explanation of Estimate:**

The Crime Commission would propose to incorporate the program initiatives within the Community Services Division. The current administrator would require a pay adjustment to address additional duties. A new Federal Aid Administrator III would be required to address the expenditure and tracking of federal grant dollars or other funds identified for this initiative. There would be operating costs and initial capital outlay required to incorporate this program. The eligibility requirements would require review by the Bureau of Justice Administration. This fiscal note would assume the use of federal grant funds to address capital improvements to an existing county jail facility. The Crime Commission proposes the use of a third-party contractor to provide mental health or crisis intervention services for this facility.

**BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE**

**Personal Services:**

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2025-26</u>	<u>2026-27</u>
	<u>25-26</u>	<u>26-27</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
Admin Programs Officer II	<u>.5</u>	<u>.5</u>	<u>33,195.50</u>	<u>34,855.00</u>
Federal Aid Administrator III	<u>1</u>	<u>1</u>	<u>60,500.00</u>	<u>63,521.00</u>
Benefits.....			<u>32,793.25</u>	<u>34,431.60</u>
Operating.....			<u>100,000</u>	<u>100,000</u>
Travel.....			<u>5,000</u>	<u>5,000</u>
Capital outlay.....			<u>25,000</u>	<u>25,000</u>
Aid.....			_____	_____
Capital improvements.....			<u>500,000</u>	<u>500,000</u>
TOTAL.....			<u>731,488.25</u>	<u>762,807.00</u>

**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 3-26-25

Phone: (5) 471-6719

	<u>FY 2025-2026</u>		<u>FY 2026-2027</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
<b>GENERAL FUNDS</b>				
<b>CASH FUNDS</b>				
<b>FEDERAL FUNDS</b>				
<b>OTHER FUNDS</b>				
<b>TOTAL FUNDS</b>	\$0	\$0	\$0	\$0

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

**Explanation of Estimate:**

There is no fiscal impact to the Department of Health and Human Services.

**MAJOR OBJECTS OF EXPENDITURE**

**PERSONAL SERVICES:**

POSITION TITLE	NUMBER OF POSITIONS		2025-2026 EXPENDITURES	2026-2027 EXPENDITURES
	26-26	26-27		
Benefits.....				
Operating.....				
Travel.....				
Capital Outlay.....				
Aid.....				
Capital Improvements.....				
<b>TOTAL.....</b>			\$0	\$0

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

**2025**

**LB<sup>(1)</sup> 386**

**FISCAL NOTE**

State Agency OR Political Subdivision Name: <sup>(2)</sup> Nebraska Association of County Officials (NACO)

Prepared by: <sup>(3)</sup> Elaine Menzel Date Prepared: <sup>(4)</sup> 1/22/2024 Phone: <sup>(5)</sup> 402.434.5660

**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:**

LB386 would create and adopt the Regional Mental Health Expansion Pilot Program Act that would create a regional mental health expansion pilot program to provide funding to a county law enforcement agency. The Act would also provide for videoconferencing of hearings under the Nebraska Mental Health Commitment Act and the Sex Offender Commitment Act, provide for detention of certain persons at mental health beds in jails, and change provisions relating to hearings and rights of confrontation. Additionally, evaluations could be able to be conducted by videoconferencing if the mental health professional thinks it appropriate under the circumstances.

The fiscal impact of LB386 is expected to provide a potential fiscal saving to counties in situations.

**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.

2025

LB<sup>(1)</sup> 386

FISCAL NOTE

State Agency OR Political Subdivision Name: <sup>(2)</sup> Nebraska Department of Correctional Services

Prepared by: <sup>(3)</sup> Lisa Stanton Date Prepared: <sup>(4)</sup> 01/23/2025 Phone: <sup>(5)</sup> (402)479-5702

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2025-26</u>		<u>FY 2026-27</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:

NDCS estimates no fiscal impact as a result of LB386.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2025-26 EXPENDITURES</u>	<u>2026-27 EXPENDITURES</u>
	<u>25-26</u>	<u>26-27</u>		
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	_____	_____	_____	_____

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

2025

LB<sup>(1)</sup> 386

FISCAL NOTE

State Agency OR Political Subdivision Name: <sup>(2)</sup> 05 Supreme Court

Prepared by: <sup>(3)</sup> Eric Asboe Date Prepared: <sup>(4)</sup> 3/24/2025 Phone: <sup>(5)</sup> 402-326-9215

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

	<u>FY 2025-26</u>		<u>FY 2026-27</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:

Minimal fiscal impact to provide judicial and staff education. No additional resources required.

**BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE**

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2025-26</u>	<u>2026-27</u>
	<u>25-26</u>	<u>26-27</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	_____	_____	_____	_____