

PREPARED BY: Scott Danigole
DATE PREPARED: February 14, 2025
PHONE: 402-471-0055

LB 604

Revision: 00

FISCAL NOTE

LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)

	FY 2025-26		FY 2026-27	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS	\$37,500		\$37,500	
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS	\$37,500		\$37,500	

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

LB 604 changes provisions related to initiative and referendum petitions.

Section 1 requires the Secretary of State to post on his or her website a sample copy of petitions with the text of the measure and notice that the measure is in circulation.

If the Secretary of State refuses to place the measure on the ballot for any legal insufficiency other than the required number of signatures, the Secretary of State shall announce the decision on the same date as the posting notice and state the reason for refusal. Any suit brought shall commence within sixty days after the notice.

LB 604 essentially requires the Secretary of State to determine a measure's legal sufficiency and the Secretary of State's determination of refusal on the same date as the posting notice. This effectively imposes a five-business day maximum to make such determination. In order to meet this requirement, the Secretary of State estimates the need to contract for legal resources. Assuming a cost of \$250 per hour for ten hours of review on the average of 15 petitions, this estimated cost is \$37,500 per year (\$250 X 10 hours X 15 petitions). There is no basis to disagree with this estimate.

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE			
LB: 604	AM:	AGENCY/POLT. SUB: Secretary of State	
REVIEWED BY: Joe Massey		DATE: 2/14/2025	PHONE: (402) 471-4181
COMMENTS: Secretary of State's assessment of fiscal impact from LB 604 appears reasonable using the assumptions provided			

2025

FISCAL NOTE

Prepared by: (3) Joan Arnold Date Prepared: (4) 2-13-2025 Phone: (5) 402-471-2384

	FY 2025-26		FY 2026-27	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	\$37,500		\$37,500	
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS	\$37,500		\$37,500	

LB604 effectively imposes a potential five-business day maximum on determining the legal sufficiency to place each measure on the ballot. The number of petitions received by the Secretary of State historically varies significantly from year to year, but on average, it is estimated that 15 petitions will be received each year. There is no limit to the number of petitions a single sponsor can file; the office has received 5 or more petitions on the same day on 4 occasions in the last 4 years. The office does not have sufficient resources to ensure that these petitions could be reviewed within this five-business-day window. Given the fluctuation in the timing and number of petitions received, it is anticipated that contractual services for legal resources would be utilized, rather than full time legal staff. The legal services are expected to cost \$37,500 per year (\$250 per hour fee for 10 hours of legal review per petition submitted with 15 petitions expected each year).

POSITION TITLE	NUMBER OF POSITIONS		2025-26	2026-27
	<u>25-26</u>	<u>26-27</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
Benefits.....				
Operating.....			\$37,500	\$37,500
Travel.....				
Capital outlay.....				
Aid.....				
Capital improvements.....				
TOTAL.....			\$37,500	\$37,500