

# FISCAL NOTE

LEGISLATIVE FISCAL ANALYST ESTIMATE

| ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates) |           |           |         |           |           |
|--|-----------|-----------|---------|-----------|-----------|
| EXPENDITURES   | GENERAL   | CASH      | FEDERAL | REVOLVING | TOTAL     |
| FY2025-2026  | 0         | 0         | 0       | 0         | 0         |
| FY2026-2027  | SEE BELOW | 0         | 0       | 0         | SEE BELOW |
| FY2027-2028  | SEE BELOW | 0         | 0       | 0         | SEE BELOW |
| FY2028-2029  | SEE BELOW | 0         | 0       | 0         | SEE BELOW |
| REVENUE  | GENERAL   | CASH      | FEDERAL | REVOLVING | TOTAL     |
| FY2025-2026  | 0         | 0         | 0       | 0         | 0         |
| FY2026-2027  | 0         | SEE BELOW | 0       | 0         | SEE BELOW |
| FY2027-2028  | 0         | SEE BELOW | 0       | 0         | SEE BELOW |
| FY2028-2029  | 0         | SEE BELOW | 0       | 0         | SEE BELOW |

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

The only higher-education system reporting a potential fiscal impact is the University of Nebraska (NU). As written, NU would no longer be required to grant in-state tuition to non-students who are seeking relief under the Deferred Action for Childhood Arrivals (DACA) under the provisions of LB 870. The bill would also no longer require NU to grant in-state tuition to certain home-schooled students. The language also eliminates the requirement of in-state tuition for individuals who are "habitually present" in the state and graduate from a Nebraska high school.

NU reports that its current mechanisms for determining residency status are unlikely to meet the bill's requirements, as the primary mechanism currently used is a high school transcript. If LB 870 were to pass, NU anticipates the need for each of its four campuses to determine and implement new procedures and require documentary proof of residency, which would require each campus hiring an additional admissions specialist. NU's fiscal note response indicates general fund costs of \$372,400 for FY27 and \$383,572 for FY27

Given the recent significant budget cuts in effect on the NU system, the Fiscal Office has no basis to assume the new workload could be taken on with existing resources. However, it would be reasonable to also anticipate increases in tuition revenue (Cash Funds), which as of yet have not been determined.

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

2026

LB<sup>(1)</sup> 870

FISCAL NOTE

State Agency OR Political Subdivision Name: <sup>(2)</sup> Nebraska Community College Association

Prepared by: <sup>(3)</sup> Courtney Wittstruck Date Prepared: <sup>(4)</sup> 1/15/26 Phone: <sup>(5)</sup> 402.381.2084

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

|               | <u>FY 2026-27</u>   |                | <u>FY 2027-28</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:

Unknown impact due to potential revenue increase related to increase in out-of-state tuition vs. potential decreased enrollment resulting from increased tuition costs.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

| <u>POSITION TITLE</u>     | <u>NUMBER OF POSITIONS</u> |              | <u>2026-27</u>      | <u>2027-28</u>      |
|---------------------------|----------------------------|--------------|---------------------|---------------------|
|                           | <u>26-27</u>               | <u>27-28</u> | <u>EXPENDITURES</u> | <u>EXPENDITURES</u> |
|                           |                            |              |                     |                     |
|                           |                            |              |                     |                     |
| Benefits.....             |                            |              |                     |                     |
| Operating.....            |                            |              |                     |                     |
| Travel.....               |                            |              |                     |                     |
| Capital outlay.....       |                            |              |                     |                     |
| Aid.....                  |                            |              |                     |                     |
| Capital improvements..... |                            |              |                     |                     |
| TOTAL.....                |                            |              |                     |                     |

| ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE                                     |     |   |                       |
|---|-----|---|-----------------------|
| LB: 870   | AM: | AGENCY/POLT. SUB: Coordinating Commission for Postsecondary Education |                       |
| REVIEWED BY: Kimberly Burns   |     | DATE: 01/09/2026  | PHONE: (402) 471-4171 |
| COMMENTS: Concur with the Coordinating Commission for Postsecondary Education's estimate of no fiscal impact from LB 870. |     |   |                       |

| ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE               |     |   |                       |
|---|-----|---|-----------------------|
| LB: 870   | AM: | AGENCY/POLT. SUB: Nebraska State College System |                       |
| REVIEWED BY: Kimberly Burns   |     | DATE: 01/13/2026                                | PHONE: (402) 471-4171 |
| COMMENTS: Concur with the Nebraska State College System's estimate of no fiscal impact from LB 870. |     |   |                       |

| ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE   |     |  |                       |
|---|-----|--|-----------------------|
| LB: 870   | AM: | AGENCY/POLT. SUB: Nebraska Community College Association |                       |
| REVIEWED BY: Kimberly Burns   |     | DATE: 01/6/2026  | PHONE: (402) 471-4171 |
| COMMENTS: No basis to disagree with the Nebraska Community College Association's estimate of unknown fiscal impact from LB 870. |     |  |                       |

| ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE                          |     |  |                       |
|--|-----|--|-----------------------|
| LB: 870  | AM: | AGENCY/POLT. SUB: Metropolitan Community College |                       |
| REVIEWED BY: Kimberly Burns  |     | DATE: 01/20/2026                                 | PHONE: (402) 471-4171 |
| COMMENTS: No basis to disagree with Metropolitan Community College's estimate of no fiscal impact from LB 870. |     |  |                       |

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

2026

LB<sup>(1)</sup> 870

FISCAL NOTE

State Agency OR Political Subdivision Name: <sup>(2)</sup> Metropolitan Community College

Prepared by: <sup>(3)</sup> Brian DeNio Date Prepared: <sup>(4)</sup> 1/16/26 Phone: <sup>(5)</sup> (531)622-2515

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

|               | FY 2026-27   |         | FY 2027-28   |         |
|---------------|--------------|---------|--------------|---------|
|               | 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 |       | 2026-27      | 2027-28      |
|                    | 26-27               | 27-28 | EXPENDITURES | EXPENDITURES |
| Benefits.....      |                     |       |              |              |
| ...                |                     |       |              |              |
| Operating.....     |                     |       |              |              |
| ....               |                     |       |              |              |
| Travel.....        |                     |       |              |              |
| .                  |                     |       |              |              |
| Capital            |                     |       |              |              |
| outlay.....        |                     |       |              |              |
| Aid.....           |                     |       |              |              |
| .                  |                     |       |              |              |
| Capital            |                     |       |              |              |
| improvements.....  |                     |       |              |              |
| TOTAL.....         |                     |       |              |              |

LB<sup>(1)</sup> 870

FISCAL NOTE

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

Coordinating Commission for Postsecondary Education

Prepared by: <sup>(3)</sup> Gary Timm

Date Prepared: <sup>(4)</sup> 1/9/2026

Phone: <sup>(5)</sup> 402.471.0020

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

|               | FY 2026-27   |         | FY 2027-28   |         |
|---------------|--------------|---------|--------------|---------|
|               | 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 |       | 2026-27      | 2027-28      |
|                           | 26-27               | 27-28 | EXPENDITURES | EXPENDITURES |
|                           |                     |       |              |              |
|                           |                     |       |              |              |
| Benefits.....             |                     |       |              |              |
| Operating.....            |                     |       |              |              |
| Travel.....               |                     |       |              |              |
| Capital outlay.....       |                     |       |              |              |
| Aid.....                  |                     |       |              |              |
| Capital improvements..... |                     |       |              |              |
| TOTAL.....                |                     |       |              |              |

State Agency OR Political Subdivision Name: <sup>(2)</sup> Nebraska State College System

Prepared by: <sup>(3)</sup> Brenda Owen

Date Prepared: <sup>(4)</sup> 1.12.2026

Phone: <sup>(5)</sup> 402-471-2505

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

|               | FY 2026-27   |         | FY 2027-28   |         |
|---------------|--------------|---------|--------------|---------|
|               | EXPENDITURES | REVENUE | EXPENDITURES | REVENUE |
| GENERAL FUNDS |              |         |              |         |
| CASH FUNDS    |              |         |              |         |
| FEDERAL FUNDS |              |         |              |         |
| OTHER FUNDS   |              |         |              |         |
| TOTAL FUNDS   |              |         |              |         |

Explanation of Estimate:

The State Colleges do not maintain different tuition rates for resident and non-resident students. As a result, extending or clarifying eligibility under the bill would not change the amount of tuition assessed or collected, and no fiscal impact is anticipated.

| BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE |                     |       |              |              |
|---|---------------------|-------|--------------|--------------|
| Personal Services:                        |                     |       |              |              |
| POSITION TITLE                            | NUMBER OF POSITIONS |       | 2026-27      | 2027-28      |
|   | 26-27               | 27-28 | EXPENDITURES | EXPENDITURES |
|   |                     |       |              |              |
|   |                     |       |              |              |
| Benefits.....                             |                     |       |              |              |
| Operating.....                            |                     |       |              |              |
| Travel.....                               |                     |       |              |              |
| Capital outlay.....                       |                     |       |              |              |
| Aid.....                                  |                     |       |              |              |
| Capital improvements.....                 |                     |       |              |              |
| TOTAL.....                                |                     |       |              |              |

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2026

**LB <sup>(1)</sup> 0870 Change residence requirements relating to tuition and fees at state postsecondary educational institutions**

**FISCAL NOTE**

State Agency OR Political Subdivision Name:<sup>(2)</sup> University of Nebraska System

Prepared by:<sup>(3)</sup> Anne Barnes Date Prepared:<sup>(4)</sup> 01/22/2026 Phone:<sup>(5)</sup> (402) 472-2191

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

|               | FY 2026 - 27        |                | FY 2027 - 28        |                |
|---------------|---------------------|----------------|---------------------|----------------|
|               | <u>EXPENDITURES</u> | <u>REVENUE</u> | <u>EXPENDITURES</u> | <u>REVENUE</u> |
| GENERAL FUNDS | <u>372,400.00</u>   | <u>0.00</u>    | <u>383,572.00</u>   | <u>0.00</u>    |
| CASH FUNDS    | <u>0.00</u>         | <u>0.00</u>    | <u>0.00</u>         | <u>0.00</u>    |
| FEDERAL FUNDS | <u>0.00</u>         | <u>0.00</u>    | <u>0.00</u>         | <u>0.00</u>    |
| OTHER FUNDS   | <u>0.00</u>         | <u>0.00</u>    | <u>0.00</u>         | <u>0.00</u>    |
| TOTAL FUNDS   | <u>372,400.00</u>   | <u>0.00</u>    | <u>383,572.00</u>   | <u>0.00</u>    |

**Explanation of Estimate:**

Under the language of LB 870, the University would no longer be required to grant in-state tuition to non-students who are seeking relief under the Deferred Action for Childhood Arrivals (DACA). The bill would also no longer require the University to grant in-state tuition to certain home-schooled individuals. Notably, the language also eliminates the requirement of in-state tuition for individuals who are "habitually present" in the state and graduate from a Nebraska high school.

As written, our current mechanisms for determining residency status are unlikely to meet the bill's requirements, as the primary mechanism currently used is a high school transcript. If this bill were to pass, it is likely our campuses would need to determine and implement new procedures and require documentary proof of residency. We anticipate needing an additional admissions specialist on each campus.

**BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE**

Personal Services:

| <u>POSITION TITLE</u>        | <u>NUMBER OF POSITIONS</u> |                | <u>2026 - 27</u>    | <u>2027 - 28</u>    |
|------------------------------|----------------------------|----------------|---------------------|---------------------|
|                              | <u>26 - 27</u>             | <u>27 - 28</u> | <u>EXPENDITURES</u> | <u>EXPENDITURES</u> |
| <u>Admissions Specialist</u> | <u>4</u>                   | <u>4</u>       | <u>280,000.00</u>   | <u>288,400.00</u>   |
|                              | <u>0</u>                   | <u>0</u>       |                     |                     |
| Benefits.....                |                            |                | <u>92,400.00</u>    | <u>95,172.00</u>    |
| Operating.....               |                            |                |                     |                     |
| Travel.....                  |                            |                |                     |                     |
| Capital outlay.....          |                            |                |                     |                     |
| Aid.....                     |                            |                |                     |                     |
| Capital improvements.....    |                            |                |                     |                     |
| TOTAL.....                   |                            |                | <u>372,400.00</u>   | <u>383,572.00</u>   |