

Updated to reflect amendments adopted through April 6, 2010.

FISCAL NOTE
LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES *				
	FY 2010-11		FY 2011-12	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS	(8,204)		(8,204)	
CASH FUNDS				
FEDERAL FUNDS	(15,385)		(15,385)	
OTHER FUNDS				
TOTAL FUNDS	(23,589)		(23,589)	

*Does not include any impact on political subdivisions. See narrative for political subdivision estimates.

LB 712, as amended, strikes the original sections and inserts new sections. The amendments incorporate provisions of the following bills under the umbrella of LB 712.

- LB 1026 Pertains to the transfer of cases between district courts. Section 1(3), states that the court transferring the case will determine how filing fees for a new civil action will be paid by the transferring party. There is the potential for increased revenue, dependent on what each court determines, but any increase should not be significant. This is based on preliminary survey of the number of cases that are transferred which showed that probably less than 100 cases per year would be subject to these new procedures. **No Fiscal Impact.**
- LB 1045 Changes provisions relating to the designation of jury commissioner. **No Fiscal Impact.**
- LB 824 Changes provisions relating to master jury lists. **No Fiscal Impact.**
- LB 915 Requires the Department of Motor Vehicles (DMV) to include motor vehicle license numbers or state identification card numbers on the list provided annually to jury commissioners. DMV indicates there will be minor programming changes to accommodate the bill which can be handled with existing resources of the department. **No Fiscal Impact.**
- LB 847 Changes Small Claims Court powers and provide for use of attorneys as prescribed. **No Fiscal Impact.**
- LB 1046 Changes speedy trial and indefinite continuance provisions. **No Fiscal Impact.**
- LB 988 The fiscal note from this bill follows:

This bill as amended would change provisions relating to credit for imprisonment for fines and costs. It increases from \$60 to \$90 the credit per day to sit out fines and costs.

This amended bill appears to only apply to city and county jails; therefore, there is no impact to the state.

IMPACT ON POLITICAL SUBDIVISIONS: The Douglas County Department of Corrections estimates that this amended bill could result in the decrease of 4 inmates per day based on an analysis of the 2009 offender population. This could result in Douglas County being able to occasionally close one housing unit per day at a savings of \$1,000 per day.

Lancaster County Corrections states that inmates sat out 17,200 days at the current rate of \$60 per day, and at \$90 per day, they estimate inmates may sit out 11,200.

- LB 687 Amends Sections 30-2322, 30-2323, and 30-2325 dealing with estates and inheritance.

For a decedent who dies on or after January 1, 2011, the bill would increase the homestead allowance for a surviving spouse from \$7500 to \$20,000 (Sec. 30-2322).

The amount of value allowed for household furniture, automobiles, furnishings, appliances, and personal effects is increased from \$5,000 to \$12,500 (Sec. 30-2323).

The amount a personal representative may determine for a family allowance in a lump sum is increased from \$9,000 to \$20,000 for a decedent who dies after January 1, 2011 and the amount for periodic payments is increased to \$1,666.67 per month (Sec. 30-2325).

No Fiscal Impact.

AM2489 gives priority to claims filed by the Department of Health and Human Services pursuant to section 68-919 (Medical assistance recipient). The fiscal impact from this change is indeterminate.

LB703 Provides for changes to "power of attorney" authority. **No Fiscal Impact.**

LB 757 Allows a motor vehicle owner to provide for the transfer of a vehicle upon the death of the owner or death of the last survivor of a joint tenancy with right of survivorship. The transfer is to be provided by including a designation in the certificate of title of the beneficiary or beneficiaries to whom the vehicle will be transferred.

AM2489 also delayed the operative date of this portion of the amended bill to January 1, 2011. The Department of Motor Vehicles (DMV) initially had an estimated one-time computer programming cost of \$7,500 to include the required information on title certificates. It is the understanding of the Legislative Fiscal Office analyst (LFO) that delaying the operative date will allow DMV to work these programming changes in with their other programming changes and therefore this amendment would eliminate the DMV cost. When DMV has a short time period to make computer programming changes, they must contract out the programming.

LB 939 Changes certain provisions governing child support enforcement. The bill allows for the collection of monetary judgments for genetic testing, requires mandatory reporting of account information from financial institutions and allows for the modification of health care coverage in a specified timeline when there is a substantial change in circumstances.

The collection of money for genetic testing is estimated to save \$20,525 (**\$6,978 GF and \$13,547 FF**) annually. The mandatory reporting of account balances will result in an increase in collections of \$61,279 of which \$58,312 will go to the families. The state will retain \$1,226 and \$1,838 would be credited to the federal government.

LB 1084 Allows for seizures of pet animals and equines as prescribed. **No Fiscal Impact.**

AM2472 This amendment includes LB840 and LB843. Both of these bills have an indeterminate fiscal impact.

AM2491 This amendment is LB990. The fiscal note from this bill follows:

This bill would change reduction of sentence provisions for a person sentenced to a city or county jail.

There does not appear to be a fiscal impact to the state from the provisions of this bill.

IMPACT ON POLITICAL SUBDIVISIONS: The Douglas County Department of Corrections estimates that this bill could result in the decrease of 66 inmates per day based on an analysis of the 2009 offender population. This could result in Douglas County being able to close one housing unit per day at a savings of \$1,000 per day.

Lancaster County Corrections estimates that this bill could reduce expenditures by approximately \$1.43 million in FY2010 and approximately \$1.51 million in FY2011. This is based on inmates receiving approximately 18,000 more days for good time credit under this bill at a rate of \$75 per day, inflated by 5.6% per year for estimated inmate population growth.