

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				
CASH FUNDS	\$20,000			
FEDERAL FUNDS	\$5,000			
OTHER FUNDS				
TOTAL FUNDS	\$25,000			

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

LB 1098 is the Protection Orders Act.

Section 2 of this bill defines terms.

Section 3 outlines who may file for such orders, the conditions under which they can be granted, and the legal effects of these orders once they are in place.

Sections 4 and 5 details the process for obtaining harassment and sexual assault protection orders.

Sections 6 through 10 aim to enhance legal protections and support for victims of harassment and sexual assault. These sections outline the procedures for enforcing protection orders, the jurisdiction of law enforcement, and the consequences for violations. The bill increases the Nebraska Protection Order terms from one year to the potential of up to two years.

Sections 11 through 13 outline procedures related to renewing, evidencing, and managing protection orders. Section 11 allows a petitioner to renew a protection order within 45 days before its expiration without any material change in circumstances, requiring notice to the respondent. A renewed order lasts one year, with specifications for temporary custody in domestic abuse cases. Section 12 states that during hearings, the petition and affidavit are considered as evidence unless excluded by the court. Section 13 allows the court to delegate matters regarding domestic abuse protection orders to a referee for findings and recommendations.

Section 15 mandates that upon issuing any domestic abuse protection order, the court is required to serve the respondent with a notice. This notice, as detailed in section 29-2291, informs the respondent that under federal law, individuals subject to a domestic abuse protection order may be prohibited from possessing or receiving firearms or ammunition.

Section 18 details the penalties for knowingly violating a protection order under the Protection Orders Act. It differentiates between the types of protection orders, specifying that a first offense violation of a domestic abuse or sexual assault protection order is classified as a Class I misdemeanor, while any subsequent offenses are Class IV felonies. Violations involving a harassment protection order are classified as Class II misdemeanors.

Section 22 outlines that the court will keep the petitioner's personal identification information, such as social security numbers and birth dates, confidential when provided.

Expenditures:

The Supreme Court will have a minimal fiscal impact to provide judicial education. Judicial workload could be affected but the fiscal impact is indeterminable at this time.

There is a \$20,000 Cash Fund impact for FY24-25 to modify subsystems of JUSTICE, the Judicial Branch case management system.

The Nebraska State Patrol estimates a one-time \$5,000 expenditure of federal funds for programming costs.

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
LB: 1098	AM:	AGENCY/POLT. SUB: Nebraska Supreme Court (005)
REVIEWED BY: Joe Wilcox	DATE: 02/05/2024	PHONE: (402) 471-4178
COMMENTS: No disagreement with the Supreme Court estimate of Potential Fiscal Impact to the Agency from LB1098.		

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
LB: 1098	AM:	AGENCY/POLT. SUB: Nebraska State Patrol (064)
REVIEWED BY: Joe Wilcox	DATE: 01/25/2024	PHONE: (402) 471-4178
COMMENTS: Do not disagree with the Nebraska State Patrol estimate of potential one-time Fiscal Impact to the Agency from LB 1098.		

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
LB: 1098	AM:	AGENCY/POLT. SUB: City of Omaha Police Department
REVIEWED BY: Joe Wilcox	DATE: 01/17/2024	PHONE: (402) 471-4178
COMMENTS: Do not disagree with the City of Omaha Police Department estimate of No Fiscal Impact to the Department from LB 1098.		

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

2024

LB⁽¹⁾ 1098

FISCAL NOTE

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

Prepared by: ⁽³⁾ Carol Aversman Date Prepared: ⁽⁴⁾ 01-17-2024 Phone: ⁽⁵⁾ 402-479-4545

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	\$5,000	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
TOTAL FUNDS	<u>\$5,000</u>	_____	_____	_____

Explanation of Estimate:

LB 1098 involves increasing the Nebraska Protection Order terms from one year to the potential of up to two years, after which such time they can be renewed for up to another year after original expiration. Currently, Harassment Orders cannot be renewed, so this would also involve a programming change, along with the extended expiration date. The Agency estimates \$5,000 of programming fees to make adjustments to the Protection Order Portal (roughly 40 hours of programming at \$122.40 per hour).

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.....	_____	_____	\$5,000	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	_____	_____	<u>\$5,000</u>	_____

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

2024

LB⁽¹⁾ 1098

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾ Omaha Police Department

Prepared by: ⁽³⁾ Deputy Chief Steve Cerveny Date Prepared: ⁽⁴⁾ 1/16/24 Phone: ⁽⁵⁾ 402-689-1018

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	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

Explanation of Estimate:

LB 1098 appears to be a bill for enhanced protection orders and outside of normal operating costs, we (OPD) do not believe there would be a financial impact to the Omaha Police Department.

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⁾ 1098

FISCAL NOTE

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

Prepared by: ⁽³⁾ Eric Asboe Date Prepared: ⁽⁴⁾ 2/2/2024 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			
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS				

Explanation of Estimate:

LB1098 fiscal impact:

1. Minimal to provide judicial education.
2. Although judicial workload may be affected no reasonable estimate of the impact can be determined.
3. \$20,000 General Funds one-time FY24-25 to modify subsystems of JUSTICE, the Judicial Branch case management system.

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.....				