

PREPARED BY: Scott Danigole  
 DATE PREPARED: January 10, 2024  
 PHONE: 402-471-0055

**LB 955**

Revision: 00

**FISCAL NOTE**  
 LEGISLATIVE FISCAL ANALYST ESTIMATE

<b>ESTIMATE OF FISCAL IMPACT – STATE AGENCIES</b> (See narrative for political subdivision estimates)				
	<b>FY 2024-25</b>		<b>FY 2025-26</b>	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS				
CASH FUNDS	\$265,297		\$274,507	
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS	\$265,297		\$274,507	

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

LB 955 requires sellers of gift cards and certificates to provide the following notice at the location where the sale takes place:

“Protect yourself from prepaid card scams, including requests related to lotteries, taxes, employment status, or utility payments. Do not provide any prepaid card information to someone you do not know, including the PIN number or card number. If you feel that you are a victim of fraud, contact local law enforcement.”

The Attorney General is charged with enforcing this provision and may recover a civil penalty not to exceed on thousand dollars for each violation and seek equitable relief to restrain any violation.

The Attorney General estimates the need for 2.0 FTE to address potential violations. One would be an attorney, the other an investigator. The Attorney General states that their office does not have sufficient investigatory and litigation resources to fully ensure compliance for all retail entities that may sell gift cards or certificates. This estimate appears to be reasonable.

The Attorney General utilizes funds from the State Settlement Cash Fund to pay costs associated with a variety of services and activities. That fund has a sufficient balance to cover the costs of this activity. For that reason, the Attorney General's response utilizing General Funds is reflected as Cash Funds in this fiscal note.

<b>ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY &amp; POLT. SUB. RESPONSE</b>		
<b>LB: 955</b>	<b>AM:</b>	<b>AGENCY/POLT. SUB: Nebraska Attorney General (011)</b>
REVIEWED BY: Joe Wilcox	DATE: 01/10/2024	PHONE: (402) 471-4178
COMMENTS: No disagreement with the Nebraska Attorney General estimate of potential Fiscal Impact to the Agency from LB 955.		

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

**2024**

**LB<sup>(1)</sup> 955**

**FISCAL NOTE**

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

Prepared by: <sup>(3)</sup> Bebe Strnad Date Prepared: <sup>(4)</sup> 1-9-24 Phone: <sup>(5)</sup> 402-471-2687

**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	<u>265,297.</u>	<u>                    </u>	<u>274,507.</u>	<u>                    </u>
CASH FUNDS	<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>                    </u>
FEDERAL FUNDS	<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>                    </u>
OTHER FUNDS	<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>                    </u>
TOTAL FUNDS	<u>265,297.</u>	<u>                    </u>	<u>274,507.</u>	<u>                    </u>

**Explanation of Estimate:**

The Attorney General has insufficient investigatory and litigation resources to fully ensure compliance with the requirements of LB955 for all retail entities that may sell gift certificates or gift cards throughout Nebraska. The Attorney General would require one additional full-time Investigator and one additional full-time Assistant Attorney General as well as additional funds for litigation expenses.

**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>
Assistant Attorney General	<u>1.0</u>	<u>1.0</u>	<u>90,000.</u>	<u>94,500.</u>
Investigator	<u>1.0</u>	<u>1.0</u>	<u>70,000.</u>	<u>73,500.</u>
Benefits.....			<u>80,297.</u>	<u>81,507.</u>
Operating.....			<u>15,000.</u>	<u>15,000.</u>
Travel.....			<u>10,000.</u>	<u>10,000.</u>
Capital outlay.....			<u>                    </u>	<u>                    </u>
Aid.....			<u>                    </u>	<u>                    </u>
Capital improvements.....			<u>                    </u>	<u>                    </u>
TOTAL.....			<u>265,297.</u>	<u>274,507.</u>