

PREPARED BY: Doug Nichols  
DATE PREPARED: February 15, 2016  
PHONE: 402-471-0052

**LB 1098**

Revision: 00

**FISCAL NOTE**  
**LEGISLATIVE FISCAL ANALYST ESTIMATE**

<b>ESTIMATE OF FISCAL IMPACT – STATE AGENCIES</b> (See narrative for political subdivision estimates)				
	<b>FY 2016-17</b>		<b>FY 2017-18</b>	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS				
CASH FUNDS		355,355		355,355
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS		355,355		355,355

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

This bill would increase legal services fees as prescribed.

The Commission on Public Advocacy estimates additional cash fund revenues from this bill at \$355,355 per year.

DAS Risk Management states that this bill could have a fiscal impact but they are unable to determine it and any impact should be able to be absorbed.

See both agency responses following for additional details.

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

**2016**

**LB<sup>(1)</sup> 1098**

**FISCAL NOTE**

State Agency OR Political Subdivision Name: <sup>(2)</sup> Department of Administrative Services (DAS) - Risk Management Division

Prepared by: <sup>(3)</sup> Shereece Dendy Date Prepared: <sup>(4)</sup> Jan. 25, 2016 Phone: <sup>(5)</sup> 402-471-4436

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

	<u>FY 2016-17</u>		<u>FY 2017-18</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	_____	_____	_____	_____
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
<b>TOTAL FUNDS</b>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

**Explanation of Estimate:**

LB1098 seeks to increase the legal service fee for all case filings from \$5.00 to \$6.00. Per Neb. Rev. Stat. § 81 – 8,211, all tort claims approved over \$25,000 must be approved by the Lancaster District Court. To get approval from the District Court, Risk Management is responsible for paying the fees associated with filing the request. Statutorily, Risk Management is also responsible for paying the litigation costs incurred by the Attorney General’s Office for those claims relating to the State Tort Claims Act and the indemnification of state officials and employees. Cases filed by the Attorney General’s Office also incur the legal services fee, which is in turn paid by Risk Management.

Therefore, there will be a fiscal impact as Risk Management would have to assume the additional \$1.00 for all those cases subjected to the legal service fee.

As there is no way to predict the number of future filings, the fiscal impact cannot be determined. The bill as written will increase the overall cost to the State, however current resources should be able to absorb the increased costs.

**BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE**

**Personal Services:**

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2016-17 EXPENDITURES</u>	<u>2017-18 EXPENDITURES</u>
	<u>16-17</u>	<u>17-18</u>		
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
<b>TOTAL.....</b>	_____	_____	_____	_____

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

**2016**

**LB<sup>(1)</sup> 1098**

**FISCAL NOTE**

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

Nebraska Commission on Public Advocacy

Prepared by: <sup>(3)</sup> Jeffery A. Pickens

Date Prepared: <sup>(4)</sup> 1-25-16

Phone: <sup>(5)</sup> 402-471-7775

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

	<u>FY 2016-17</u>		<u>FY 2017-18</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS				
CASH FUNDS	<u>355,355</u>	<u>355,355</u>	<u>355,355</u>	<u>355,355</u>
FEDERAL FUNDS				
OTHER FUNDS				
<b>TOTAL FUNDS</b>	<u><u>355,355</u></u>	<u><u>355,355</u></u>	<u><u>355,355</u></u>	<u><u>355,355</u></u>

**Explanation of Estimate:**

Number of applicable court filings used to determine estimated future revenue is based upon total amount of revenue received in previous fiscal year divided by 5.25 and then multiplied by 6.25, which includes proposed filing fee increase.

**BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE**

**Personal Services:**

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2016-17</u>	<u>2017-18</u>
	<u>16-17</u>	<u>17-18</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
Benefits.....				
Operating.....				
Travel.....				
Capital outlay.....				
Aid.....			<u>355,355</u>	<u>355,355</u>
Capital improvements.....				
<b>TOTAL.....</b>			<u><u>355,355</u></u>	<u><u>355,355</u></u>