

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

<b>ESTIMATE OF FISCAL IMPACT – STATE AGENCIES</b> (See narrative for political subdivision estimates)				
	<b>FY 2021-22</b>		<b>FY 2022-23</b>	
	<b>EXPENDITURES</b>	<b>REVENUE</b>	<b>EXPENDITURES</b>	<b>REVENUE</b>
GENERAL FUNDS				
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS				

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

This bill would provide immunity for claims against first responders operating motor vehicles and arising from vehicular pursuits and provide for policies, training, and duties relating to vehicular pursuits.

DAS Risk Management states the exact impact of this bill is unknown. However, it has the potential for reducing costs related to vehicle pursuits. See the agency response attached for additional details not included in this fiscal note.

The Nebraska State Patrol and the Crime Commission estimate no fiscal impact from this bill.

The City of Imperial estimates \$500 annually for additional training.

The City of Lincoln estimates no fiscal impact from this bill.

<b>ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY &amp; POLT. SUB. RESPONSE</b>			
<b>LB: 326</b>	<b>AM:</b>	<b>AGENCY/POLT. SUB: Department of Administrative Services (65) – Risk Management Division</b>	
REVIEWED BY: Joe Wilcox	DATE: 01/21/2021	PHONE: (402) 471-4178	
COMMENTS: No basis to dispute the Department of Administrative Services (DAS) - Risk Management Division estimate of potential, but Indeterminate fiscal impact to the agency and potentially other state agencies, from LB 326.			

<b>ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY &amp; POLT. SUB. RESPONSE</b>			
<b>LB: 326</b>	<b>AM:</b>	<b>AGENCY/POLT. SUB: Nebraska State Patrol (64)</b>	
REVIEWED BY: Joe Wilcox	DATE: 02/03/2021	PHONE: (402) 471-4178	
COMMENTS: No basis to dispute the Nebraska State Patrol estimate of No Fiscal Impact to the Agency from LB 326.			

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
<b>LB: 326</b>	<b>AM:</b>	AGENCY/POLT. SUB: <b>Nebraska Commission on Law Enforcement and Criminal Justice (78)</b>
REVIEWED BY: Joe Wilcox	DATE: 01/28/2021	PHONE: (402) 471-4178
COMMENTS: No basis to dispute the Nebraska Commission on Law Enforcement and Criminal Justice (Crime Commission) estimate of No Fiscal Impact to the Agency from LB 326.		

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
<b>LB: 326</b>	<b>AM:</b>	AGENCY/POLT. SUB: <b>City of Imperial</b>
REVIEWED BY: Joe Wilcox	DATE: 01/14/2021	PHONE: (402) 471-4178
COMMENTS: No basis to dispute the City of Imperial estimate of potential fiscal impact to the City from LB 326.		

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
<b>LB: 326</b>	<b>AM:</b>	AGENCY/POLT. SUB: <b>City of Lincoln</b>
REVIEWED BY: Joe Wilcox	DATE: 01/26/2021	PHONE: (402) 471-4178
COMMENTS: No basis to dispute the City of Lincoln estimate of No Fiscal Impact to the City from LB 326.		

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

**2021**

**LB<sup>(1)</sup> 326**

**FISCAL NOTE**

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

Prepared by: <sup>(3)</sup> Allen Simpson Date Prepared: <sup>(4)</sup> 1/13/2021 Phone: <sup>(5)</sup> (402) 471-4436

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

	<u>FY 2021-22</u>		<u>FY 2022-23</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	_____	_____	_____	_____
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
REVOLVING FUNDS	_____	_____	_____	_____
TOTAL FUNDS	<u>See Below</u>	<u>See Below</u>	<u>See Below</u>	<u>See Below</u>

**Explanation of Estimate:**

LB 326 would provide tort-claim immunity for certain claims arising from collisions with a motor vehicle fleeing pursuit if the law enforcement agency adopts a vehicular pursuit policy conforming to law and provides training on such pursuits and for certain claims against a law enforcement officer arising from vehicular pursuits.

The State has received three major pursuit claims during the past four years. Two of these claims occurred on January 3, 2019 and the claim amount was \$300,000 for each claim. The third claim occurred on December 20, 2017 and the claim amount was \$3,000,000. To date these claims have not been settled.

The State is self-insured for the first \$600,000 and then the excess carriers are responsible for the remaining amount of a pursuit claim. Annually the state purchases insurance coverage from excess carriers for claims above the State’s self-insured limit. The costs of those premiums are impacted by claims paid and potential exposure.

The exact impact of LB 326 as introduced is unknown. LB 326 would have a positive fiscal impact on Risk Management – State Insurance by eliminating the payout of claims related to vehicle pursuit below the self-insurance threshold and the possible reduction of the cost of excess carrier premiums in the future as related to vehicle pursuit coverage. Any reduction of costs would impact the future amount of the enterprise-wide Motor Vehicle Liability (MVL) Assessment.

The table below summarizes the estimated impact by fund type of any MVL assessment decrease. The allocation by fund type below is based on an average of Insurance expenditures over a four-year period (2017-2020).

<b>Fund Type</b>	<b>Percentage by Fund Type</b>
General Fund	-11%
Cash Fund	-34%
Federal Fund	-1%
Revolving Fund	-54%
<b>Total</b>	<b>100%</b>

**BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE**

**Personal Services:**

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2021-22</u>	<u>2022-23</u>
	<u>21-22</u>	<u>21-23</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.

2021

LB<sup>(1)</sup> 326

FISCAL NOTE

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

Prepared by: <sup>(3)</sup> Carol Aversman Date Prepared: <sup>(4)</sup> 1/28/2021 Phone: <sup>(5)</sup> \_\_\_\_\_

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2021-22</u>		<u>FY 2022-23</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:

**No Fiscal Impact.**

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2021-22</u>	<u>2022-23</u>
	<u>21-22</u>	<u>22-23</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.

**2021**

**LB<sup>(1)</sup> 326**

**FISCAL NOTE**

State Agency OR Political Subdivision Name: <sup>(2)</sup> NE Commission on Law Enforcement and Criminal Justice  
(Crime Commission)

Prepared by: <sup>(3)</sup> Bruce Ayers Date Prepared: <sup>(4)</sup> 1-28-2021 Phone: <sup>(5)</sup> 402-471-0359

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

	<u>FY 2021-22</u>		<u>FY 2022-23</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: LB 326 has no fiscal impact on the Crime Commission.

**BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE**

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2021-22</u>	<u>2022-23</u>
	<u>21-22</u>	<u>22-23</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.

2021

LB<sup>(1)</sup> 326

FISCAL NOTE

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

Prepared by: <sup>(3)</sup> Jo Leyland Date Prepared: <sup>(4)</sup> 01/14/21 Phone: <sup>(5)</sup> 308-882-4368

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2021-22</u>		<u>FY 2022-23</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	<u>500</u>		<u>500</u>	
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS	<u>500</u>		<u>500</u>	

Explanation of Estimate:

Additional training

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2021-22</u>	<u>2022-23</u>
	<u>21-22</u>	<u>22-23</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
Benefits.....				
Operating.....			<u>500</u>	<u>500</u>
Travel.....				
Capital outlay.....				
Aid.....				
Capital improvements.....				
TOTAL.....			<u>500</u>	<u>500</u>

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

**2021**

**LB<sup>(1)</sup> 326**

**FISCAL NOTE**

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

Prepared by: <sup>(3)</sup> James Van Bruggen Date Prepared: <sup>(4)</sup> 1/25/21 Phone: <sup>(5)</sup> 402-441-8301

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

	<u>FY 2021-22</u>		<u>FY 2022-23</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:

No Fiscal Impact.

**BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE**

**Personal Services:**

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2021-22</u>	<u>2022-23</u>
	<u>21-22</u>	<u>22-23</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	_____	_____	_____	_____