

FISCAL NOTE

LEGISLATIVE FISCAL ANALYST ESTIMATE

Updated to reflect Amendments as of 4/15/2021

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)				
	FY 2021-22		FY 2022-23	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
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.

LB501 is a combination of LB348, LB403, LB470, LB501, and LB593.

LB348

Changes provisions relating to succession to real property by affidavit for small estates. No fiscal impact.

LB403

No fiscal impact.

LB470

LB470 proposes the Uniform Powers of Appointment Act. This act defines powers of appointment related to transfer of various types of property. No fiscal impact.

LB501

LB501 would create the Uniform Easement Relocation Act. This act would put into statute the requirements for relocating an easement. LB501 does not apply to public-utility easement, conservation easements, negative easements, or easements whose proposed location would encroach on an area burdened by a conservation or public-utility easement, or easements of consent.

LB501 would allow for the relocation of an easement if the relocation does not materially:

- lessen the utility of the easement;
- after the relocation, increase the burden on the easement holder in its reasonable use and enjoyment of the easement;
- impair an affirmative, easement-related purpose for which the easement was created;
- during or after the relocation, impair the safety of the easement holder or another entitled to use and enjoy the easement;
- impair the physical condition, use, or value of the dominant estate or improvements on the dominant estate;
- during or after the relocation, impair the safety of the easement holder or another entitled to use and enjoy the easement; or
- during the relocation, disrupt the use and enjoyment of the easement by the easement holder or another entitled to use and enjoy the easement, unless the servient estate owner substantially mitigates the duration and nature of the disruption

To obtain an order to relocate an easement under LB501 a civil action must be commenced. Any cost borne would be resulting from a private civil action among property owners and those utilizing an easement. No fiscal impact.

LB526

This bill would adopt the Uniform Foreign-Country Money Judgments Recognition Act and the Uniform Registration of Canadian Money Judgments Act. This bill does not appear to have a significant fiscal impact to the state or political subdivisions. The Supreme Court states that any fiscal impact is estimated not to be significant.

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

2021

LB⁽¹⁾ 501, ER45

FISCAL NOTE

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

Prepared by: ⁽³⁾ Eric Asboe Date Prepared: ⁽⁴⁾ 4/14/2021 Phone: ⁽⁵⁾ 402-326-9215

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:

LB501, as amended by ER45, would not require any additional resources. However, potential impact is described below:

1. Judicial and court staff education would be required.
2. Section 16, under the Uniform Registration of Canadian Money Judgments Act, does provide for a registration fee as determined by the Supreme Court. Although not estimated to be significant, there is a potential for Cash Fund revenue from the fee. Registration procedures would also need to be developed.
3. Although LB501, as amended, has the potential to increase judicial and court staff workload, no reasonable estimate of the impact cannot be determined at this time.

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.....	_____	_____	_____	_____