

PREPARED BY: Scott Danigole
 DATE PREPARED: January 17, 2023
 PHONE: 402-471-0055

LB 308

Revision: 00

FISCAL NOTE
LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)				
	FY 2023-24		FY 2024-25	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS	See Below		See Below	
CASH FUNDS	See Below		See Below	
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS	See Below		See Below	

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

LB 308 is the Genetic Information Privacy Act.

Section 2 provides definitions for the Act.

Section 3 requires a direct-to-consumer genetic testing company to take certain actions in order to safeguard the privacy, confidentiality, security, and integrity of a consumer’s genetic data. The Attorney General may bring an action on behalf of a consumer to enforce the provisions of the Act. Violations are subject to a civil penalty of two thousand five hundred dollars for each violation, in addition to actual damages incurred by the consumer, and costs and reasonable attorney’s fees incurred by the Attorney General.

Section 4 exempts protected health information collected by a covered entity or business associate as those terms are defined in 45 C.F.R. parts 160 and 164 from provisions of the Act.

The Attorney General recognizes that, as a new component of Nebraska’s Consumer Protection statutes, additional workload and associated costs will be incurred. These could include items such as: new staffing, office space, OCIO charges, and other legal-related expenses.

The Attorney General is unable to determine a reasonable estimate at this time.

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
LB: 308	AM:	AGENCY/POLT. SUB: Nebraska Attorney General (011)
REVIEWED BY: Joe Wilcox	DATE: 01/18/2023	PHONE: (402) 471-4178
COMMENTS: Do not disagree with the Nebraska Attorney General estimate of Potential, but Indeterminable Fiscal Impact to the Agency from LB 308.		

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

2023

LB⁽¹⁾ 308

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾ Attorney General

Prepared by: ⁽³⁾ Phil Carlson Date Prepared: ⁽⁴⁾ 1-17-23 Phone: ⁽⁵⁾ 402-471-2687

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2023-24</u>		<u>FY 2024-25</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:

A violation of LB308 is not currently a violation of our Consumer Protection statutes, and therefore would be additional workload. The extent of the workload is not ascertainable.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2023-24</u>	<u>2024-25</u>
	<u>23-24</u>	<u>24-25</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	_____	_____	_____	_____