

FISCAL NOTE

LEGISLATIVE FISCAL ANALYST ESTIMATE

Amendments adopted on General File

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)					
EXPENDITURES	GENERAL	CASH	FEDERAL	REVOLVING	TOTAL
FY2025-2026	0	0	0	0	0
FY2026-2027	SEE BELOW	0	0	0	SEE BELOW
FY2027-2028	994,164	0	0	0	994,164
FY2028-2029	994,164	0	0	0	994,164
REVENUE	GENERAL	CASH	FEDERAL	REVOLVING	TOTAL
FY2025-2026	0	0	0	0	0
FY2026-2027	0	0	0	0	0
FY2027-2028	0	0	0	0	0
FY2028-2029	0	0	0	0	0

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

LB 1237 amends the Nebraska Criminal Code to prohibit entering the State Capitol while in possession of a weapon or prohibited substance. The bill defines terms and provides for certain exceptions.

LB 1237 also requires the Nebraska State Patrol to implement procedures by January 1, 2027, for security and to provide for the detection of weapons and prohibited substances.

The Legislative Council and Supreme Court estimate no fiscal impact.

DAS (Office of the Capitol Commission) estimates a cost of \$50,000, beginning FY2026-27, to provide electrical conduit at the proposed entrances with security equipment. Additionally, should it be necessary to update the east and/or west entrance of the building to be compliant with the Americans with Disabilities Act (ADA), additional funds would be required to do so. The agency indicates it may be possible to utilize the north entrance, which is ADA compliant, for such purpose until the east and/or west entrances are updated in this manner.

The Nebraska State Patrol (NSP) has developed two possible implementation plans. Option 1 includes two points of entry to the building, and Option 2 includes only one point of entry to the building. Option 2 has costs estimated to be 39% less than the costs for Option 1, since Option 2 requires less staffing (11 additional FTE) than Option 1 (18 additional FTE). Cost estimates also include equipment and operational costs. The total cost of implementation to the NSP is dependent on whether Option 1 or Option 2 is utilized. The breakdown of General Fund costs by option is shown in the table below.

	NSP Option 1	NSP Option 2
FY2026-27	\$1,437,312	\$871,419
FY2027-28	\$1,566,582	\$944,164
FY2028-29	\$1,566,582	\$944,164

There is no basis to disagree with the estimates provided by the agencies. In discussion with the agencies, the corresponding appropriation reflects NSP Option 2 to implement procedures related to one entrance. Appropriations for FY2026-27 are offset by a one-time lapse of reappropriated funds from the Legislative Council.

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

2026

LB⁽¹⁾ 1237 AM 2028

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾ Department of Administrative Services (DAS) – Office of the Capitol Commission (OCC)

Prepared by: ⁽³⁾ Ann Martinez Date Prepared: ⁽⁴⁾ 02/12/2026 Phone: ⁽⁵⁾ 402-471-4135

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2026-27</u>		<u>FY 2027-28</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	<u>See Below</u>	<u> </u>	<u>See Below</u>	<u> </u>
CASH FUNDS	<u> </u>	<u> </u>	<u> </u>	<u> </u>
FEDERAL FUNDS	<u> </u>	<u> </u>	<u> </u>	<u> </u>
REVOLVING FUNDS	<u> </u>	<u> </u>	<u> </u>	<u> </u>
TOTAL FUNDS	<u>See Below</u>	<u> </u>	<u>See Below</u>	<u> </u>

Explanation of Estimate:

LB 1237 AM 2028 defines and would prohibit with some exceptions the bringing of weapons or prohibited substances - as defined - into the State Capitol. A violation would be a Class III misdemeanor.

Also, the Nebraska State Parol (NSP) shall, no later than January 1, 2027, implement procedures to ensure the State Capitol is secure and to prevent unauthorized individuals from entering the building with weapons and/or prohibited substances.

The NSP currently provides security at the State Capitol and will submit a Fiscal Note to request General Funds for the one-time costs to purchase security equipment and for the ongoing costs of staffing, repair and maintenance, etc. The Department of Administration (DAS) Office of the Capitol Commission (OCC) has no detailed information on this request.

DAS–OCC could be responsible (if not included in the NSP request) to provide the required electrical conduit at the proposed east and west entrances at an estimated cost of \$50,000. This would require an increase in the DAS-OCC General Fund budget for FY26-27.

The north and south entrances would be locked and accessible using an employee ID badge.

Neither the east nor west entrances are currently handicapped accessible. The amount and funding source to make the east entrance handicapped accessible isn't known at this time. The cost could require additional General Fund appropriation for the DAS-OCC FY26-27 budget if other funding isn't available. Due to the timeline the project wouldn't be completed by January 1, 2027.

The north entrance is handicapped accessible. As a possible short term or long-term solution is the continued use of the north entrance. The individual at the north entrance would contact NSP Security and they would meet the individual at the north entrance.

There is a fiscal impact, however the exact amount is indeterminate.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2026-27</u>	<u>2027-28</u>
	<u>26-27</u>	<u>27-28</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.

2026

LB⁽¹⁾ 1237, AM 2028

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾

Nebraska State Patrol

Prepared by: ⁽³⁾ Carol Aversman

Date Prepared: ⁽⁴⁾ 02/17/2026

Phone: ⁽⁵⁾ 402-471-4545

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	FY 2026-27		FY 2027-28	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS	\$1,437,312		\$1,566,582	
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS	\$1,437,312		\$1,566,582	

Explanation of Estimate: Note the above costs are reflective of the Controlled Access Option 1 Security Plan

NOTE: THERE IS NO CHANGE TO THE EXISTING FISCAL NOTE AS A RESULT OF AM 2028.

LB 1237 prohibits bringing weapons or prohibited substances into the State Capitol as prescribed in the bill. It also requires the Nebraska State Patrol to implement procedures by January 1, 2027, to ensure the State Capitol is secure and provide for the detection of weapons and prohibited substances as defined in Section 2 of the act, in order to further prevent such weapons and substances from being brought into the State Capitol.

The State Patrol has developed two possible implementation plans (Controlled Access Option 1 and Controlled Access Option 2). These plans are formulated in part based on recommendations from the Department of Homeland Security to provide a minimum of two armed police officers and one Capitol Security Guard at both entrances. The costs reflected in the Fiscal Note are for Option 1. The costs associated with Option 2 total \$871,419 in FY 26-27 and \$944,164 for FY 27-28 and are roughly 39% less than the costs associated with Option 1. Note that Option 1 provides for a more secure and optimal security plan that allows for two points of entry, as opposed to only one point of entry under Option 2.

Controlled Access Option 1 Plan

Under Option 1, with the need for adequate coverage throughout the week and considering Homeland Security's recommendations, the State Patrol would need to hire 6 additional Capitol Security Guards, split between the first and second shifts. The need for armed police/law enforcement to meet staffing recommendations from the Department of Homeland Security would rely on the State Patrol (Capitol security Division) to hire officers who are certified or retired law enforcement officers to fill the role of a Capitol Police Officer. It is important to note that the State Patrol would likely have difficulty staffing the Capitol with Troopers due to a large number of Trooper vacancies statewide. With the need to cover the entry points at the Capitol while the Capitol is open, 10 Capitol Police Officers and 2 Capitol Police Sergeants would also need to be hired to maintain adequate coverage.

Controlled Access Option 1 provides a larger law enforcement presence at the Capitol that utilizes both the east and west entrances to screen for guns, ammo, weapons, and other items that may be banned from the Capitol to stop threats at the entrances before they enter the Capitol Building. Staff, Senators, and other employees who work at the Capitol would still be allowed access to the building at any of the entrances of the Capitol and would only need to scan their access cards for entry into the Capitol. There would be no need for these individuals to be scanned. The estimated cost for FY 26-27 is \$1,437,312 and for FY 27-28 the cost is estimated at \$1,566,582. For purposes of completing the fiscal note it has been assumed that staff would be

employed beginning 11/1/26 (2/3 of the fiscal year) in order to on-board and train employees prior to the required full implementation on 1/1/27. Total salaries are estimated at \$691,226 and \$1,065,210 for FY 26-27 and FY 27-28, respectively. Benefits are estimated at \$276,490 and \$426,084 for FY 26-27 and FY 27-28, respectively. Additionally, certain capital expenditures will be required in the first year including the purchase of magnetometers, bag scanners, search desks, office furniture, radios, tasers, and weapons. These are estimated at \$327,185 in FY 26-27. Operational costs include the purchase of uniforms, duty gear, helmets, vests, gun safes, ammunition, cameras, computer terminals, and ongoing OCIO costs. Operational costs are estimated at a total of \$142,411 in FY 26-27 and \$75,288 in FY 27-28.

Controlled Access Option 2 Plan

Option 2 only provides for one entrance for the public on either the East or the West side of the Capitol. This would require the Capitol Commission to arrange for the construction for either of these sides to be ADA compliant. With this implementation plan, the State Patrol would need to hire fewer employees due to there being only one entrance for the public. The State Patrol (Capitol Security Division) would need to hire an additional 4 Capitol Security Guards, split between the first and second shifts. Also, the need for armed police/law enforcement to meet staffing recommendations from the Department of Homeland Security would rely on the Capitol Security Division to hire officers who are certified or retired law enforcement officers to fill the role of a Capitol Police Officer. In order to cover the entry points at the Capitol while the Capitol is open, there is a need to hire 6 Capitol Police Officers and 1 Capitol Police Sergeant to maintain adequate coverage.

Controlled Access Option 2 provides a law enforcement presence at the Capitol that utilizes the East or West entrances to screen for guns, ammunition, weapons, and other items that may be banned from the Capitol and to stop threats at the entrances before they enter the Capitol building. Staff, Senators, and other employees who work at the Capitol would still be allowed access to the building at any of the entrances of the Capitol and would only need to scan their access cards for entry into the Capitol. There would be no need for them to be screened. This option relies on the Office of the Capitol Commission making changes to the East or West side of the Capitol to make one of the entrances ADA compliant. The cost for this construction has not been included in this estimate. The estimated cost for FY 26-27 is \$871,419 and for FY 27-28 the cost is estimated at \$944,164.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

POSITION TITLE	NUMBER OF POSITIONS		2026-27 EXPENDITURES	2027-28 EXPENDITURES
	26-27	27-28		
Capitol Security Guards	6	6	\$167,232	\$257,712
Capitol Police Officers	10	10	\$425,048	\$655,018
Capitol Police Sergeants	2	2	\$98,946	\$152,480
Benefits			\$276,490	\$426,084
...				
Operating			\$142,411	\$75,288
....				
Travel				
.				
Capital outlay			\$327,185	
Aid				
.				
Capital improvements				
TOTAL			\$1,437,312	\$1,566,582

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

2026

LB⁽¹⁾ 1237, AM2028

FISCAL NOTE

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

Prepared by: ⁽³⁾ Eric Asboe Date Prepared: ⁽⁴⁾ 2/13/2026 Phone: ⁽⁵⁾ 402-326-9215

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	FY 2026-27		FY 2026-27	
	<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:

LB1237, as amended by AM2028, will have a minimal fiscal impact for judicial and staff education. No additional resources required. It is still assumed that current security checks for the Supreme Court and Court of Appeals courtrooms would be retained.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2026-27 EXPENDITURES</u>	<u>2027-28 EXPENDITURES</u>
	<u>26-27</u>	<u>27-28</u>		
Benefits.....	_____	_____	_____	_____
....				
Operating.....	_____	_____	_____	_____
....				
Travel.....	_____	_____	_____	_____
.				
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
.				
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	_____	_____	_____	_____

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE

LB: 1237 AM: 2028 AGENCY/POLT. SUB: Supreme Court

REVIEWED BY: Jennifer Alcazar DATE: 2/17/2026 PHONE: (402) 471-4169

COMMENTS: No basis to disagree with the Supreme Court's estimate of minimal fiscal impact as a result of LB 1237 AM 2028.

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE

LB: 1237 AM: 2028 AGENCY/POLT. SUB: Nebraska State Patrol

REVIEWED BY: Jennifer Alcazar DATE: 2/18/2026 PHONE: (402) 471-4169

COMMENTS: Concur with the Nebraska State Patrol's determination of no change to the original fiscal impact as a result of LB 1237 AM 2028.

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE

LB: 1237 AM:2028 AGENCY/POLT. SUB: Department of Administrative Services –
Office of the Capitol Commission (OCC)

REVIEWED BY: Jennifer Alcazar DATE: 2/11/2026 PHONE: (402) 471-4169

COMMENTS: No basis to disagree with the Department of Administrative Services – Office of the Capitol Commission's estimate fiscal impact as a result of LB 1237 AM 2028.