

FISCAL NOTE
LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)				
	FY 2025-26		FY 2026-27	
	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.

LB 458 amends statute.

It creates the Permitting Approval Timeliness Act. The act:

- Requires a decision for a permit application be complete in 60 days or less.
- Requires a reason be provided for a denial or a conditional approval. The denial must be based on applicable laws and regulations.
- Sets parameters for an appeal of a denial.

It creates the By-Right Housing Development Act. The act:

- Provides approval for housing developments that meet required zoning codes and regulation without the approval of a commission, zoning board or regulator.
- Ensures duplex and manufactured housing be allowed on lots where single family homes are allowed.
- Ensures lots with single family homes are allowed to add accessory units and provides size requirements for such units.
- Disallows municipalities from making certain requirements for accessory units and sets limits on fees that can be charged for applications to build such units.

It makes various changes to how counties can sell properties due to unpaid property taxes:

- It adjusts timeframes for a land bank to acquire a property
- It increases the fee the treasurer charges to advertise delinquent property from \$5 to \$20.
- It sets intent to examine the fee every 5 years.
- It allows the county treasurer to designate someone to facilitate the sale of a delinquent property.
- It changes specific requirements or the purchase certificate provided to the new owner.
- It changes an administrative fee from \$100 to \$150
- It changes a fee for issuing a certificate from \$20 to \$25
- It removes a \$2 fee for a memorandum of redemption receipt
- It removes a \$1 fee for a service of notice.
- It changes a fee for publication from \$5 to \$20
- It outlines timeframes for how a purchaser of vacant or abandoned real estate may apply for a tax deed.
- It outlines when real estate may be considered vacant or abandoned

This will change the revenue for local municipalities. The Lancaster County Treasurer estimates more revenue than expenses over the next 2 years in relation to these changes.

No fiscal Impact to state government.

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
LB: 458	AM:	AGENCY/POLT. SUB: Supreme Court
REVIEWED BY: Ryan Yang	DATE: 1/28/2025	PHONE: (402) 471-4178
COMMENTS: No basis to disagree with the Supreme Court assessment of no fiscal impact from LB 458.		

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

2025

LB⁽¹⁾ 458

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾ Lancaster County Treasurer

Prepared by: ⁽³⁾ Rachel Garver Date Prepared: ⁽⁴⁾ Jan. 28, 2025 Phone: ⁽⁵⁾ 402-441-7425

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2025-26</u>		<u>FY 2026-27</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	<u>\$23,406.42</u>	<u>\$19,835.00</u>	<u>\$9,763.64</u>	<u>\$19,835.00</u>
CASH FUNDS	<u> </u>	<u> </u>	<u> </u>	<u> </u>
FEDERAL FUNDS	<u> </u>	<u> </u>	<u> </u>	<u> </u>
OTHER FUNDS	<u> </u>	<u> </u>	<u> </u>	<u> </u>
TOTAL FUNDS	<u>\$23,406.42</u>	<u>\$19,835.00</u>	<u>\$9,763.64</u>	<u>\$19,835.00</u>

Explanation of Estimate:

Both the expenditures and the revenue are dependent upon the number of delinquent parcels. The average number of delinquent parcels from the last five years was used for the number of parcels placed in the newspaper ad, the number of parcels sold at the tax sale, and the number of annual redemptions.

Expenditures for 2025-26 departmental costs, the costs for the required advertising in the newspaper and programming costs. Expenditures for 2026-27 did not have programming costs.

Revenue includes a \$15 increase of the fee to the county to cover the cost of advertising, \$5 increase in the certificate issuing fee, and less the elimination of the \$2 redemption fee.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2025-26 EXPENDITURES</u>	<u>2026-27 EXPENDITURES</u>
	<u>25-26</u>	<u>26-27</u>		
<u>Benefits.....</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>Operating.....</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>Travel.....</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>Capital outlay.....</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>Aid.....</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>Capital improvements.....</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>TOTAL.....</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>

State Agency Estimate

Table with columns for State Agency Name, Date Prepared, Date Due LFO, Phone, and budget data for FY 2025-2026, FY 2026-2027, and FY 2027-2028. Rows include General Funds, Cash Funds, Federal Funds, Other Funds, and Total Funds.

Sections 1-7 of LB 458 creates the Permitting Approval Timeliness Act (PAT Act) for the purpose of ensuring timeliness, providing transparency and protecting rights during property development and permit application process.

Sections 8-14 of LB 458 creates the By-Right Housing Development Act (BRHD Act) for the purpose of addressing statewide housing shortages and promoting affordability. The BRHD Act applies to the housing development approval process to the extent such process is not otherwise controlled by more specific statute.

Section 15 of LB 458 provides definitions and requires the zoning regulations of any municipality be adopted in accordance with a comprehensive plan; design to secure safety from fire and other dangers; promote public health, safety and welfare; and facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements.

Section 16 of LB 458 provides definitions and restrictions on municipal buildings codes.

Table titled 'Major Objects of Expenditure' with columns for Class Code, Classification Title, and FTE/Expenditures for years 25-26, 26-27, and 27-28. Rows include Benefits, Operating Costs, Travel, Capital Outlay, Capital Improvements, and Total.

Section 17-37 of LB 458 provides various changes to county processes for the sale of properties delinquent on property tax payments. LB 458 provides alternative time periods for a land bank or purchaser to apply to the county treasurer for a tax deed or bring action to foreclose the lien on a property for the nonpayment of taxes depending on whether the property is considered vacant and abandoned. Under current law, the county treasurer is required to hold a delinquent property tax auction each March at their office. The bill will allow the auction to occur at a separate designated location. This bill increases the fee assessed by the treasurer on property taxes due for advertising delinquent property from \$5 to \$20 and declares the legislature's intent to examine the fee every five years beginning in 2030. A person attempting to redeem delinquent property must pay the new fee before redeeming. Under current law, only the county treasurer may commence the sale and operate the auction of delinquent property and is subject to \$50 fee for not attending. LB 458 enables the county treasurer to designate someone else to complete and participate in all relevant functions of the sale or auction of delinquent property. This bill changes requirements for the delinquent property purchase certificate issued by the county treasurer to the purchaser of delinquent property. It also changes the administrative fee charged to the property owner for the purchaser's service of notice from the greater of \$100 or the actual costs to a flat rate of \$150. The county treasurer's fee for issuing a certificate is increased from \$20 to \$25. The county treasurer may no longer charge \$2 fee for a memorandum of redemption receipt and \$1 fee for each copy of notice filed with them by a purchaser of delinquent property.

It is estimated that this bill will have no impact on General Fund revenues.

It is estimated that there will be no cost to the Department of Revenue to implement this bill.

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2025

LB⁽¹⁾ 458

FISCAL NOTE

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

Prepared by: ⁽³⁾ Eric Asboe Date Prepared: ⁽⁴⁾ 1/27/2025 Phone: ⁽⁵⁾ 402-326-9215

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2025-26</u>		<u>FY 2026-27</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:

Minimal fiscal impact to provide judicial and staff education. No additional resources required.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2025-26</u>	<u>2026-27</u>
	<u>25-26</u>	<u>26-27</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	_____	_____	_____	_____