PREPARED BY: DATE PREPARED: PHONE: Bill Biven, Jr. March 25, 2025 402-471-0054

**LB 89** 

Revision: 01

## FISCAL NOTE LEGISLATIVE FISCAL ANALYST ESTIMATE

Revised to reflect the adoption of AM701

ESTIMATE OF FISCAL IMPACT - STATE AGENCIES (See narrative for political subdivision estimates)						
	FY 202	25-26	FY 20	)26-27		
_	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.

LB89 adopts the Stand with Women Act, & defines female & male.

The bill requires a governing body of a school to designate each group restroom & locker room within each school building as either for use by females or for use by males.

The bill requires interscholastic or intramural athletic team or sport sponsored by a school or athletic association to be designated as female, male, or coed & includes restrictions on participation.

The bill prohibits a government entity, licensing or accrediting organization, or athletic association to file a complaint, open an investigation, or take any other adverse action against a school for maintaining any separate interscholastic or intramural athletic team or sport for female students.

Each state agency, in the adoption & promulgation of administrative rules & regulations, the enforcement of administrative decisions, & the adjudication of disputes by administrative agencies, is required to define a person's sex as that person's biological sex, meaning either a male or female.

State agencies must designate each group restroom within any facility operated or used by that state agency as either for use by females or for use by males, subject to certain exceptions.

The bill provides that Individuals born with a diagnosis of a disorder or difference in sex development retain relevant legal protections & accommodations afforded under the federal Americans with Disabilities Act of 1990.

AM701 requires that the governing bodies of public schools & public postsecondary institutions designate each restroom & locker room within each school building as either for use by females, for use by males, single occupancy, or for use by families.

Requirements included are that the team or sport be expressly designated as for males, females, or coed for in interscholastic & intramural sports sponsored by public schools, for those sponsored by private schools whose athletes compete against public schools, for private schools that are members of an athletic association, for public postsecondary institutions, & for private postsecondary institutions that complete against public postsecondary institutions.

NO FISCAL IMPACT.

ADMI	NISTRATIVE SERVICES	STATE BUDGET DIVISION: RE	VIEW OF AGENCY & POLT. SUB. RESPONSE		
LB: <b>89</b>	AM: <b>701</b>	AGENCY/POLT. SUB: Supr	eme Court		
REVIEWE	D BY: Kimberly Burns	DATE: 04/09/2025	PHONE: (402) 471-4171		
COMMEN	COMMENTS: Concur with the Supreme Court's assessment of no fiscal impact from LB 89, as amended by AM 701.				

ADMINISTR	ATIVE SERVICES ST	TATE BUDGET DIVISION: REVIEW OF	AGENCY & POLT. SUB. RESPONSE
LB: <b>89</b>	AM: <b>701</b>	AGENCY/POLT. SUB: Department	of Education
REVIEWED BY:	Kimberly Burns	DATE: 03/31/2025	PHONE: (402) 471-4171
COMMENTS: Co	oncur with the Depart	ment of Education's assessment of no f	iscal impact from LB 89, as amended by

ADMINISTR	ATIVE SERVICES S	TATE BUDGET DIVISION: RE	EVIEW OF AGENCY & POLT. SUB. RESPONSE
LB: <b>89</b>	AM: <b>701</b>	AGENCY/POLT. SUB: Net	raska Department of Veterans Affairs (NDVA)
REVIEWED BY:	Kimberly Burns	DATE: 03/31/2025	PHONE: (402) 471-4171
COMMENTS: Co		ska Department of Veterans A	ffairs' assessment of no fiscal impact from LB 89, as

ADMINISTR	ATIVE SERVICES S	TATE BUDGET DIVISION: F	REVIEW OF AGENCY & POLT. SUB. RESPONSE
LB: <b>89</b>	AM: <b>701</b>	AGENCY/POLT. SUB: N	ebraska Military Department
REVIEWED BY:	Kimberly Burns	DATE: 03/31/2025	PHONE: (402) 471-4171
COMMENTS: Company by AM 701.	oncur with the Nebras	ska Military Department's as	sessment of no fiscal impact from LB 89, as amended

ADM	INISTRATIVE SERVICES	STATE BUDGET DIVISION: RE	VIEW OF AGENCY & POLT. SUB. RESPONSE	
LB: <b>89</b>	AM: <b>701</b>	AGENCY/POLT. SUB: Nebr	aska Racing & Gaming Commission	
REVIEWE	ED BY: Kimberly Burns	DATE: 04/02/2025	PHONE: (402) 471-4171	
COMMENTS: Concur with the Nebraska Racing & Gaming Commission's assessment of no fiscal impact from LB 89, as amended by AM 701.				

ADMINISTR	ATIVE SERVICES ST	ATE BUDGET DIVISION: REVIEW OF	AGENCY & POLT. SUB. RESPONSE
LB: <b>89</b>	AM: <b>701</b>	AGENCY/POLT. SUB: Nebraska Dep	partment of Correctional Services
REVIEWED BY:	Kimberly Burns	DATE: 03/31/2025	PHONE: (402) 471-4171
	oncur with the Nebras mended by AM 701.	ka Department of Correctional Services'	assessment of no fiscal impact

ADMINISTRA	ATIVE SERVICES	STATE BUDGET DIVISION: RE	EVIEW OF AGENCY & POLT. SUB. RESPONSE
LB: 89 Education	AM: <b>701</b>	AGENCY/POLT. SUB: Coord	nating Commission for Postsecondary
REVIEWED BY:	Kimberly Burns	DATE: 03/31/2025	PHONE: (402) 471-4171
	oncur with the Coo mended by AM 701	•	condary Education's assessment of no fiscal impact

ADMINISTR	RATIVE SERVICES	STATE BUDGET DIVISION: RE	VIEW OF AGENCY & POLT. SUB. RESPONSE
LB: <b>89</b>	AM: <b>701</b>	AGENCY/POLT. SUB: Neb	raska State College System
REVIEWED BY:	Kimberly Burns	DATE: 03/31/2025	PHONE: (402) 471-4171
COMMENTS: C amended by AM		aska State College System's as	sessment of no fiscal impact from LB 89, as

ADMINISTR	ATIVE SERVICES	STATE BUDGET DIVISION: RE	VIEW OF AGENCY & POLT. SUB. RESPONSE
LB: <b>89</b>	AM: <b>701</b>	AGENCY/POLT. SUB: L	Iniversity of Nebraska System
REVIEWED BY:	Kimberly Burns	DATE: 04/16/2025	PHONE: (402) 471-4171
	o basis to disagree 89, as amended b	-	System's assessment of indeterminate fiscal impact

ADMINISTRATIVE SERVICES	STATE BUDGET DIVISION: RI	EVIEW OF AGENCY & POLT. SUB. RESPONSE
LB: 89 AM: 701 AGENCY/F Division and Office of Capitol Cor		Iministrative Services – State Building
REVIEWED BY: Kimberly Burns	DATE: 04/01/2025	PHONE: (402) 471-4171
COMMENTS: Concur with the Depa amended by AM 701.	rtment of Administrative Servic	es' assessment of no fiscal impact from LB 89, as

<b>LB</b> <sup>(1)</sup> 89 AM701				FISCAL NOTE
State Agency OR Political S	Subdivision Name: (	Education		
Prepared by: (3) Lane (	Carr/Bryce Wilson	∩ Date Prepared:	(4) 3/25/25	Phone: (5) 402.419.3012
F	STIMATE PROV	JIDED RY STATE AG	ENCY OR POLITICA	I. SURDIVISION
		Y 2025-26	<u> ENCT ORTOLITICA</u>	FY 2026-27
	EXPENDITURI		E EXPENDIT	
GENERAL FUNDS	0		0	
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS	0		0	
<b>Explanation of Estimate:</b>				
Stand with Women Act.		·		
Personal Services:	<u>BREAKDOV</u>	<u>WN BY MAJOR OBJE</u>	CTS OF EXPENDITU	<u>RE</u>
POSITION TIT		NUMBER OF POSITI <u>25-26</u> <u>26-9</u>		
Benefits				
Operating				<u></u>
Travel				
Capital outlay				
Aid				
Capital improvements				
TOTAL			0	0

<b>LB</b> (1) 89 AM 701 – Stand V	with	Wo	men Act			FISCAL NOTE
State Agency OR Political Subdivision Name:	(2) NE	ebras	ka Game 8	Park Com	mission	
Prepared by: (3) Christina Peters		Date	Prepared: <sup>(4)</sup>	March 25, 20	025 Phone: (5)	(402) 471-5403
ESTIMATE PROV	VIDED	BY S'	TATE AGEN	CY OR POLIT	ΓICAL SUBDIVIS	SION
$\mathbf{F}$	Y 202				FY 202	
<u>EXPENDITUR</u>	<u>ES</u>	:	<u>REVENUE</u>	EXPE:	<u>NDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS						
CASH FUNDS						
FEDERAL FUNDS						
OTHER FUNDS						
TOTAL FUNDS						
	=					
Explanation of Estimate:						
BREAKDO	WN BY	Y MAJ	OR OBJECTS	S OF EXPEN	DITURE	
Personal Services:	WIN DI	1 111110	OR OBSECT	S OI LAILIU	<u> </u>	
POSITION TITLE	NUMB 25-9		F POSITION <u>26-27</u>		025-26 NDITURES	2026-27 EXPENDITURES
			-	_		
Benefits						
Operating						
Travel	•					
Capital outlay						
Aid						
Capital improvements						

<b>LB</b> <sup>(1)</sup> 89 AM 7	<u>'01</u>			FISCAL NOTI
State Agency OR Politics	al Subdivision Name: (2)	31 – Nebraska M	lilitary Department	
Prepared by: (3) Lau	ren Hargreaves	Date Prepared: (4)	03/27/2025 Phone: (5	402-309-8120
	ESTIMATE PROVIDE	D BY STATE AGEN	CY OR POLITICAL SUBDIVI	SION
	FY 20	25-26	FY 20	26-27
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
	No Fiscal	No Fiscal	No Fiscal	No Fiscal
GENERAL FUNDS	Impact	Impact	Impact	Impact
	No Fiscal	No Fiscal	No Fiscal	No Fiscal
CASH FUNDS	Impact	Impact	Impact	Impact
	No Fiscal	No Fiscal	No Fiscal	No Fiscal
FEDERAL FUNDS	Impact	Impact	Impact	Impact
	No Fiscal	No Fiscal	No Fiscal	No Fiscal
OTHER FUNDS	Impact	Impact	Impact	Impact
	No Fiscal	No Fiscal	No Fiscal	No Fiscal
TOTAL FUNDS	Impact	Impact	Impact	Impact

No Fiscal Impact

BREAKDO	OWN BY MAJO	OR OBJECTS OF	EXPENDITURE	
Personal Services:				
	NUMBER OF	POSITIONS	2025-26	2026-27
POSITION TITLE	<u>25-26</u>	<u>26-27</u>	<b>EXPENDITURES</b>	<b>EXPENDITURES</b>
			No Fiscal	No Fiscal
			Impact	Impact
			No Fiscal	No Fiscal
Benefits			Impact	Impact
			No Fiscal	No Fiscal
Operating	•••		Impact	Impact
			No Fiscal	No Fiscal
Travel	•••		Impact	Impact
			No Fiscal	No Fiscal
Capital outlay	•••		Impact	Impact
			No Fiscal	No Fiscal
Aid			Impact	Impact
			No Fiscal	No Fiscal
Capital improvements			Impact	Impact
-			No Fiscal	No Fiscal
TOTAL			Impact	Impact

<b>LB</b> (1)	89 AI	M701					FISCAL NOTE			
State Age	ncy OR P	Political Subdivision Name:	Nebra	Nebraska Department of Correctional Services						
Prepared	by: (3)	Lisa Stanton	Dat	te Prepared: (4)	03/25/2025	Phone:	(5) (402)479-5702			
		ESTIMATE PRO	VIDED BY	STATE AGEN	NCY OR POLIT	ICAL SUBDIV	VISION			
		<u>EXPENDITUR</u>	Y 2025-26		EXPEND		926-27 <u>REVENUE</u>			
GENERA	AT ETIMI		<u>E5</u>	<u>REVENUE</u>	EAFEND	TI UKES	REVENUE			
					_					
CASH FU										
FEDERA					_					
OTHER					_					
TOTAL	FUNDS		_ =							
Explanat	ion of E	stimate:								
		BREAKDO	OWN BY M	IAJOR OBJECT	TS OF EXPEND	<u>ITURE</u>				
Personal	Services						2222.25			
	POSIT	ION TITLE	25-26	OF POSITION <u>26-27</u>		5-26 <u>DITURES</u>	2026-27 EXPENDITURES			
Benefits.										
-	_					,				
-										
Capital in	-	nents								

<b>LB</b> <sup>(1)</sup> 89 AM 701						FISCAL NOTE			
State Agency OR Political Subdivisi	on Name: <sup>(2)</sup>	Department of Administrative Services (DAS) – State Building Division (SBD), Office of the Capitol Commission (OCC)							
Prepared by: (3) Jennifer Sommars-Link		Date Pr	epared: <sup>(4)</sup>	3/19/2025	Phone: (5)	402-471-1405			
ESTIMA	ATE PROVII	DED BY ST	ATE AGEN	CY OR POLITI	CAL SUBDIVIS	ION			
EVDE	<u>FY 2</u> NDITURES	2025-26 PE	VENUE	EXPEND	FY 2026	- <u>27</u> REVENUE			
GENERAL FUNDS	NDIT ORES	<u>KE</u>	VENUE	<u>EAI END</u>	II ORES	REVENCE			
CASH FUNDS									
FEDERAL FUNDS REVOLVING FUNDS									
TOTAL FUNDS									
Explanation of Estimate:									
_	define an in	dividual's s	sex as eith	er male or fem	ale. ces.	<u> </u>			
Personal Services:	NU	MBER OF I	POSITIONS	5 2025	5-26	2026-27			
POSITION TITLE	<u> </u>	<u>25-26</u>	<u>26-27</u>	EXPEND	<u>ITURES</u>	EXPENDITURES			
Benefits									
Operating									
Travel									
Capital outlay									
Aid				-					
Capital improvements									
TOTAL									

LB <sup>(1)</sup> 89 AM 701				FISCAL NOTE
State Agency OR Political Subdivision Name:	Nebras	ska State Colle	ege System	
Prepared by: (3) Brenda Owen	Date	Prepared: (4) 3	-26-25 Phone:	(5) 402-471-2507
ESTIMATE PRO	OVIDED BY S	STATE AGENCY	Y OR POLITICAL SUBDIV	VISION
	FY 2025-26		FV 00	06 07
<u>EXPENDITUR</u>		REVENUE	EXPENDITURES	<u>26-27</u> <u>REVENUE</u>
GENERAL FUNDS				
CASH FUNDS				
FEDERAL FUNDS		_		
OTHER FUNDS				
TOTAL FUNDS	<u> </u>	_		<del></del> -
	_			
<b>Explanation of Estimate:</b>				
No fiscal impact.				
As the legislation is drafted, fiscal imp	act is not as	scertainable		
7 to the logiciation is drafted, floods imp		oortamable.		
<u>BREAKD</u> Personal Services:	OWN BY MA	JOR OBJECTS	OF EXPENDITURE	
rersonal Services:	NUMBER O	F POSITIONS	2025-26	2026-27
POSITION TITLE	<u>25-26</u>	<u>26-27</u>	<b>EXPENDITURES</b>	<b>EXPENDITURES</b>
D. C.		-		
Benefits				
Operating Travel				
Capital outlay				
Aid			<del></del>	
Capital improvements				
TOTAL				

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

## LB (1) 0089 Adopt the Stand With Women Act AM701

2025 FISCAL NOTE

0.00

State Agency OR Political Subdivision Name: (2) **University of Nebraska System** Prepared by: (3) Anne Barnes Phone: (5) Date Prepared: (4) 04/02/2025 (402) 559-6300 ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION FY 2025 - 26 FY 2026 - 27 **EXPENDITURES REVENUE EXPENDITURES REVENUE GENERAL FUNDS** 0.00 0.00 0.00 0.00 **CASH FUNDS** 0.00 0.00 0.00 0.00 FEDERAL FUNDS 0.00 0.00 0.00 0.00 OTHER FUNDS 0.00 0.00 0.00 0.00

## TOTAL FUNDS Explanation of Estimate:

Personal Services:

LB89, as amended by AM701, may have an unknown fiscal impact for the University of Nebraska System.

0.00

Section 6, subsection (5), requires students participating in interscholastic or intramural athletics that are not coed and are sponsored by the University to provide documentation signed by a physician (or under their authority) confirming their sex. This provision may require the University to implement a new system for collecting, verifying, and storing medical documents in a manner that is compliant with HIPPA, FERPA and other privacy laws. Clarification is needed on whether this verification must be submitted once per student, per sport, or per season.

0.00

0.00

The implementation timeline remains unclear, and without a delayed effective date or further guidance, the University may not have adequate time to develop compliant systems and policies prior to the next academic year.

## **BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE**

POSITION TITLE	NUMBER OI <u>25 - 26</u>	F POSITIONS <u>26 - 27</u>	2025 - 26 EXPENDITURES	2026 - 27 EXPENDITURES
_	0	0		
<u>-</u>	0	0		
Benefits				
Operating				
Travel				
Capital outlay				
Aid				
Capital improvements				
TOTAL				

LB <sup>(1)</sup>	89 AI	И 701				FISCAL NOTE			
State A	gency OR Pol	itical Subdivision Name: <sup>(2)</sup>	Nebraska Departm	Nebraska Department of Veterans Affairs (NDVA)					
Prepared by: (3) Nicole S Zimmermann		Date Prepared: <sup>(4)</sup>	3/25/2025 <b>F</b>	hone: <sup>(5)</sup>	531-220-1433				
		ESTIMATE PROVIDED	BY STATE AGENCY OR POLI	TICAL SUBDIVISION					
		F	FY 2025-26		FY 2026-27	,			
		<u>EXPENDITURES</u>		<u>EXPENDITURES</u>		<u>REVENUE</u>			
GENER	AL FUNDS		_						
CASH F	UNDS				<u> </u>				
FEDER	AL FUNDS			_					
OTHER	FUNDS								
TOTAL	FUNDS								
Explan	ation of Est	mate:							
"No Fi	iscal Impac	t"							
		BREA	AKDOWN BY MAJOR OBJEC	TS OF EXPENDITURE					
<u>Person</u>	al Services:		NUMBER OF POSITIONS	2025-26		2026-27			
	POSI	TION TITLE	<u>25-26</u> <u>26-27</u>	EXPENDITURES	: 	EXPENDITURES			
Benefit	ts								
Operat	ting								
Travel.									
Capital	l outlay								
Capital	-	ents							
173	ιΔΙ								

<b>LB</b> (1)	89 A	M701						FISCAL NOTE				
State Agency OR Political Subdivision Name: (2)				Coord	Coordinating Commission for Postsecondary Education							
Prepare	Prepared by: (3) Gary Timm		Dat	e Prepared: <sup>(4)</sup>	3/27/2025	Phone: (5)	402.471.0020					
		E	STIMATE PRO	VIDED BY	STATE AGEN	NCY OR POLITIC	CAL SUBDIVIS	SION				
		]	<u>f</u> EXPENDITURI	<u>Y 2025-26</u> E <u>S</u>	REVENUE	<u>EXPENDI</u>	<u>FY 2026</u> <u>TURES</u>	<u>REVENUE</u>				
GENEI	RAL FUN	DS										
CASH I	FUNDS											
FEDER	RAL FUNI	DS										
OTHE	R FUNDS			<u> </u>								
TOTAL	L FUNDS					<del>-</del>						
Evnlone	ation of E	stimata		_ =								
Explana	ation of E	stimate:										
No Fis	cal Impa	ct										
Person	al Service	s·	BREAKDO	OWN BY M	AJOR OBJECT	S OF EXPENDIT	<u>ΓURE</u>	<u> </u>				
reison					OF POSITION			2026-27				
	POSIT	ION TIT	<u>LE</u>	<u>25-26</u>	<u>26-27</u>	<u>EXPENDI</u>	TURES	<u>EXPENDITURES</u>				
					_	<del>-</del>						
Benefit	s			-	<u> </u>							
Operati	ing											
Travel.												
Capital	outlay											
Aid												
-	-											
TO	TAL											

LB <sup>(1)</sup> 89 A	AM701					FISCAL NOTE				
State Agency OR I	Political Subdivision Name:	(2) NE F	NE Racing & Gaming Commission							
Prepared by: (3) Rita Pracht		Da	ite Prepared: (4)	3/25/2025	Phone: (5)	531-310-4536				
	ESTIMATE PRO	OVIDED B	Y STATE AGEN	NCY OR POLIT	 ICAL SUBDIVIS	SION				
	<u>EXPENDITUE</u>	FY <u>2025-2</u> RES	<u>6</u> <u>REVENUE</u>	EXPENI	<u>FY 2026</u> DITURES	<u>-27</u> <u>REVENUE</u>				
GENERAL FUN	DS									
CASH FUNDS										
FEDERAL FUNI	DS									
OTHER FUNDS										
TOTAL FUNDS										
Explanation of E	stimate:									
1. "										
No fiscal impac	:t									
rto nocal impac	•									
Personal Services		OWN BY N	MAJOR OBJECT	S OF EXPEND	<u>ITURE</u>					
r ersonar services	S	NUMBER	OF POSITION	S 202	5-26	2026-27				
POSIT	ION TITLE	<u>25-26</u>	<u>26-27</u>	EXPENI	<u>DITURES</u>	<b>EXPENDITURES</b>				
			_	_						
Benefits										
Operating										
Travel										
Capital outlay										
Aid		•								
Capital improver	nents									
TOTAL										

<b>LB</b> <sup>(1)</sup> 89, Al	M701					FISCAL NOTE				
State Agency OR Political Subdivision Name: (2)			05 Supreme Court							
Prepared by: (3)	Eric Asboe	Γ	Date Prepared: (4)	4/5/2025	Phone: (5)	402-326-9215				
	ESTIMATE PRO	VIDED	BY STATE AGEN	NCY OR POLIT	ICAL SUBDIVIS	SION				
	<u>EXPENDITUR</u>	<u> Y 2025-</u> <u>ES</u>	<u>26</u> <u>REVENUE</u>	EXPEND	<u>FY 2026</u> DITURES	<u>-27</u> <u>REVENUE</u>				
GENERAL FUNDS	s									
CASH FUNDS										
FEDERAL FUNDS	8				<u> </u>					
OTHER FUNDS				<u>-</u>						
TOTAL FUNDS		_								
Explanation of Est	imate:									
No fiscal impact.										
	<u>BREAKD(</u>	OWN BY	MAJOR OBJECT	S OF EXPEND	<u>ITURE</u>					
Personal Services:		NHIMBE	R OF POSITION	S 202	7 00	2022 25				
POSITIO	ON TITLE	25-26			5-26 <u>DITURES</u>	2026-27 EXPENDITURES				
		-								
Ronofits		-	<u> </u>	<u> </u>	,					
					<del></del>					
	ents									
				<del></del>						