

STATE OF KANSAS

DIVISION OF THE BUDGET
LONDON STATE OFFICE BUILDING
900 SW JACKSON STREET, ROOM 504
TOPEKA, KS 66612



PHONE: (785) 296-2436
FAX: (785) 296-0231
LARRY.CAMPBELL@KS.GOV

GOVERNOR JEFF COLYER, M.D.
LARRY L. CAMPBELL, CHIEF BUDGET OFFICER

February 9, 2018

The Honorable Russell Jennings, Chairperson
House Committee on Corrections and Juvenile Justice
Statehouse, Room 151-S
Topeka, Kansas 66612

Dear Representative Jennings:

SUBJECT: Fiscal Note for HB 2621 by Representative Holscher

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2621 is respectfully submitted to your committee.

HB 2621 would amend the crime of unlawful sexual relations to include consensual sexual intercourse, lewd fondling or touching, or sodomy between a law enforcement officer and a person 16 years of age or older. If the law enforcement officer is the offender, the bill would make it a crime to engage in the acts mentioned above knowing that the other person is interacting with the officer during the course of the officer's duties.

HB 2621 has the potential for increasing litigation in the courts because of the new crime created by the bill. If it does, the Office of Judicial Administration indicates that there would be a fiscal effect on the operations of the court system. However, it is not possible to estimate the number of additional court cases that would arise or how complex and time-consuming they would be. As a result, a fiscal effect cannot be determined. The fiscal effect would most likely be accommodated within the existing schedule of court cases and would not require additional budget resources.

The Honorable Russell Jennings, Chairperson

February 9, 2018

Page 2—HB 2621

The Kansas Sentencing Commission estimates enactment of HB 2621 could have an effect on prison admission and bed space; however, the Commission cannot estimate an effect. Any fiscal effect associated with HB 2621 is not reflected in *The FY 2019 Governor's Budget Report*.

Sincerely,

A handwritten signature in cursive script, appearing to read "L. Campbell".

Larry L. Campbell
Chief Budget Officer

cc: Chardae Caine, League of Municipalities
Melissa Wangemann, Association of Counties
Linda Kelly, Corrections
Ashley Michaelis, Judiciary
Scott Schultz, Sentencing Commission