

January 25, 2017

The Honorable Rick Wilborn, Chairperson
Senate Committee on Judiciary
Statehouse, Room 541-E
Topeka, Kansas 66612

Dear Senator Wilborn:

SUBJECT: Fiscal Note for SB 12 by Senate Committee on Judiciary

In accordance with KSA 75-3715a, the following fiscal note concerning SB 12 is respectfully submitted to your committee.

SB 12 would amend current law regarding the residency restrictions for transitional or conditional release of sexually violent predators. Upon consideration of the recommendation of the treatment staff and the person, and after making written findings on the record, the court may grant exceptions to any of the geographic residency restrictions except that the court may not set a restriction of less than 500 feet. Changes in the ownership of or use of property within the restricted distance from the residence of a person on transitional or conditional release that occur after the person establishes a court-approved residence could not be used as the basis for a finding that the person has violated the terms off the release. In order to establish a court approved residence the person must:

1. Purchase or enter into a contract to purchase a residence;
2. Enter into a written lease contract for the residence; or,
3. Reside with an immediate family member who has established a residence in accordance with current statutory residency restrictions.

Any conditional release plan must include provisions directing what the person must do to do to establish a temporary residence if the person loses their court-approved residence as a result of an emergency situation.

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Page 2—SB 12

The Kansas Department for Aging and Disability Services indicates that passage of SB 12 would have no fiscal effect on the Department or the state hospitals. The fiscal effect would be negligible for the League of Kansas Municipalities.

Sincerely,

A handwritten signature in black ink, appearing to read "Shawn Sullivan", with a horizontal line extending to the right.

Shawn Sullivan,
Director of the Budget

cc: Brock Ingmire, League of Municipalities
Cody Gwaltney, Aging & Disability Services