

January 31, 2023

The Honorable Kellie Warren, Chairperson
Senate Committee on Judiciary
300 SW 10th Avenue, Room 346-S
Topeka, Kansas 66612

Dear Senator Warren:

SUBJECT: Fiscal Note for SB 87 by Senator Holland

In accordance with KSA 75-3715a, the following fiscal note concerning SB 87 is respectfully submitted to your committee.

Currently, statute includes a list of mandated reporters that are required to report suspected harm from physical, mental, emotional abuse, neglect, or sexual abuse of a child. SB 87 would add duly ordained ministers of religion, as defined in statute, to be added as mandated reporters. A duly ordained minister of religion who suspects abuse or neglect based on a penitential communication would not be required to violate penitential privilege.

The Department for Children and Families (DCF) indicates that SB 87 would increase the volume of reports to the Kansas Protection Report Center, resulting in an increase of \$74,569 in expenditures from the State General Fund for 1.00 FTE Protection Specialist position. DCF also assumes this bill may increase workload for DCF child investigative staff. However, while data shows 55.0 percent of all reports are assigned for investigation, it is anticipated that many of these calls would be duplicate of other calls or may be determined to be investigated by law enforcement only. Therefore, DCF believes an increase in assigned investigations may not be significant and could be absorbed within current resources. The bill does not address reporting requirements for this new category of mandatory reporter and, as such, would be counted in the "other mandated reporter" grouping. However, if reporting clergy as a separate group is intended, systems updates would be necessary creating additional costs. The expense of systems updates is unknown.

The Office of Judicial Administration indicates that SB 87 could increase the number of cases filed in district courts because it expands the list of mandatory reporters of suspected child abuse or neglect. This would increase the time spent by district court judicial and nonjudicial personnel in processing, researching, and hearing cases. Since the crime is a misdemeanor, there

could also be more supervision of offenders required to be performed by Court Services Officers. The bill could also result in the collection of docket fees, supervision fees, and fines assessed in those cases filed under the provisions of the bill. 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. Therefore, a fiscal effect cannot be determined. Any fiscal effect associated with SB 87 is not reflected in *The FY 2024 Governor's Budget Report*.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam Proffitt", with a stylized flourish at the end.

Adam Proffitt
Director of the Budget

cc: Kim Holter, Department for Children & Families
Vicki Jacobsen, Judiciary