

February 15, 2012

The Honorable Lance Kinzer, Chairperson
House Committee on Judiciary
Statehouse, Room 165-W
Topeka, Kansas 66612

Dear Representative Kinzer:

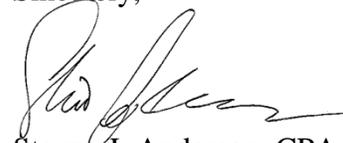
SUBJECT: Fiscal Note for HB 2655 by House Committee on Judiciary

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2655 is respectfully submitted to your committee.

HB 2655 would expand the crime of interference with the judicial process by making it a violation to knowingly alter, destroy, mutilate, conceal, cover up, falsify or make a false entry in any record, document, or tangible object with the intent to impede, obstruct, or influence any investigation or proper administration of any matter within the jurisdiction of any state department or agency, or any case filed in state court. The penalty for any violation of the new provision involving misdemeanor cases would be a class A misdemeanor. Similarly, violations involving felony cases could result in a severity level eight nonperson felony.

HB 2655 has the potential for increasing the number of charges filed in district courts because of the expanded crime. The Office of Judicial Administration estimates that many of those charges would be from existing cases. The Office further indicates that there would be an associated fiscal effect on the operations of the court system in the form of additional time spent by clerks, court recorders, and judges on those cases. Also, additional time may be required by appellate judicial and non-judicial personnel for any appeals. However, it is not possible to predict the number of additional charges that would arise or how complex and time-consuming the cases would be. Therefore, a precise fiscal effect cannot be determined. It is likely that the fiscal effect could be accommodated within the existing schedule of court cases and would not require additional resources. Any fiscal effect associated with HB 2655 is not reflected in *The FY 2013 Governor's Budget Report*.

Sincerely,



Steven J. Anderson, CPA, MBA
Director of the Budget

cc: Jeremy Barclay, Corrections
Mary Rinehart, Judiciary
Scott Schultz, Sentencing Commission