

February 28, 2014

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

Dear Representative Rubin:

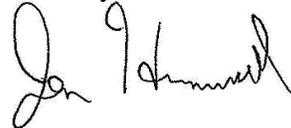
SUBJECT: Fiscal Note for HB 2698 by House Committee on Corrections and Juvenile Justice

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2698 is respectfully submitted to your committee.

HB 2698 would require that a member of the public who makes a complaint to a law enforcement agency against a law enforcement officer would be required to sign a sworn affidavit clearly stating the allegation. The bill provides what must be on the complaint form, including a statement that false complaints are subject to criminal prosecution for perjury. The accused officer would not be required to respond until receipt of a copy of the complaint and any related evidence. If, during the investigation of a complaint, the investigating authority finds any evidence that a crime was committed against a law enforcement officer there would be criminal prosecution.

The Office of Judicial Administration reports that passage of HB 2698 could increase the number of cases filed in district courts and the number of appeals relating to false complaints about law enforcement officers. This would increase the time spent by district court and appellate court judicial and non-judicial personnel in procession, researching, and hearing cases. However, it is not possible to predict how complex or time-consuming the cases would be. Therefore, a precise fiscal effect cannot be determined. Any fiscal effect associated with HB 2698 is not reflected in *The FY 2015 Governor's Budget Report*.

Sincerely,



Jon Hummell,
Interim Director of the Budget

cc: Gary Steed, CPOST
Mary Rinehart, Judiciary
Linda Durand, KBI
Kim Torrey, KHP
Melissa Wangemann, KAC
Larry Baer, LKM