

February 20, 2013

The Honorable Jeff King, Chairperson
Senate Committee on Judiciary
Statehouse, Room 341-E
Topeka, Kansas 66612

Dear Senator King:

SUBJECT: Fiscal Note for SB 167 by Senator Faust-Goudeau, et al.

In accordance with KSA 75-3715a, the following fiscal note concerning SB 167 is respectfully submitted to your committee.

SB 167 would amend current law by expanding the statute of limitations for rape prosecutions. Under the bill, prosecutions for rape may be commenced at any time and include the following conditions:

1. When the victim is 18 years of age or older, the prosecution would be commenced within the limitation of time provided by the law or one year from the date on which the identity of the suspect is conclusively established by DNA testing; or
2. When the victim is under 18 years of age, the prosecution would be commenced within ten years of the date the victim turns 18 years of age or one year from the date on which the identity of the suspect is conclusively established by DNA testing, whichever is later.

According to the Office of Judicial Administration, SB 167 has the potential for increasing the number of prosecutions filed in district courts and appeals filed in appellate courts. This would increase the time spent by district and appellate court judicial and non-judicial personnel in processing, researching, and hearing cases. Likewise, the additional cases could also result in the collection of added revenue from docket fees and penalties. However, it is not possible to predict the number of additional court cases that would arise or how complex and time-consuming they would be. Therefore, a precise fiscal effect cannot be determined. In any case, the fiscal effect would most likely be accommodated within the existing schedule of court cases and would not require additional resources.

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The Kansas Sentencing Commission states that passage of SB 167 would have a negligible impact on prison admissions and bed needs. Any fiscal effect associated with SB 167 is not reflected in *The FY 2014 Governor's Budget Report*.

Sincerely,

A handwritten signature in black ink, appearing to read "Steven J. Anderson", with a long horizontal flourish extending to the right.

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

cc: Mary Rinehart, Judiciary
Scott Schultz, Sentencing Commission
Pat Scalia, BIDS