

February 13, 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 136 by Senate Committee on Judiciary

In accordance with KSA 75-3715a, the following fiscal note concerning SB 136 is respectfully submitted to your committee.

SB 136 would provide that if a person is arrested due to mistaken identity or because another person used the person's identifying information and the charge is subsequently dismissed or not prosecuted, the prosecuting attorney or other judicial officer who ordered dismissal or declined to prosecute must petition the court for an expungement. If a petition should occur under these circumstances, the court must order expungement. The bill specifies that there would be no docket fee required of the prosecuting attorney or judicial officer in these cases. The bill includes technical changes to reorganize existing provisions of the expungement statute.

The Office of Judicial Administration indicates that any fiscal effect which may result from the enactment of SB 136 would be negligible.

Sincerely,



Shawn Sullivan,
Director of the Budget

cc: Ashley Michaelis, Judiciary