

January 25, 2019

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

Dear Representative Jennings:

**SUBJECT:** Fiscal Note for HB 2042 by House Committee on Corrections and Juvenile Justice

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2042 is respectfully submitted to your committee.

HB 2042 would amend current law to remove the Secretary of State from the list of officers authorized to prosecute election crimes. If the Secretary becomes aware of evidence of any election crimes, the Attorney General or the appropriate district or county attorney must be notified promptly. These officers may request that the Secretary cooperate and provide assistance in the investigation or prosecution of these crimes. The bill would also make minor technical corrections to existing law

According to the Office of the Attorney General, enactment of HB 2042 could result in additional expenses resulting from prosecuting election crimes that were previously prosecuted by the Secretary of State. However, because the anticipated number of cases is relatively low, the agency could manage the costs within existing resources.

The Office of the Secretary of State indicates that enactment of HB 2042 would result in some savings for the agency. Under the previous administration, election crimes were prosecuted and investigated by existing employees. The expenses associated with investigations and courtroom appearances were \$10,000 or less for each case, but all cases filed were settled prior to trial. The agency is unable to estimate what the initial or long-term savings could be.

The Attorney General and the Secretary of State also note that additional expenses may be experienced by county and district attorneys who will file and prosecute cases previously handled by the Secretary of State. However, it is not possible to estimate these expenses. Any fiscal effect associated with HB 2042 is not reflected in *The FY 2020 Governor's Budget Report*.

Sincerely,

A handwritten signature in black ink, appearing to read "L. L. Campbell". The signature is fluid and cursive, with a large initial "L" and a smaller "L" followed by "Campbell".

Larry L. Campbell  
Director of the budget

cc: Bryan Caskey, Office of the Secretary of State  
Willie Prescott, Office of the Attorney General