

January 20, 2017

The Honorable Blaine Finch, Chairperson
House Committee on Judiciary
Statehouse, Room 519-N
Topeka, Kansas 66612

Dear Representative Finch:

SUBJECT: Fiscal Note for HB 2003 by Legislative Post Audit Committee

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2003 is respectfully submitted to your committee.

Under current law, after a local law enforcement agency seizes property, the agency must submit a request for forfeiture to the county or district attorney within 45 days of the seizure. The county or district attorney has 14 days to accept the request. If the request is declined or goes unanswered, the local law enforcement agency could request that a state law enforcement agency adopt the forfeiture or engage an attorney, approved by the county or district attorney, to represent the agency in the forfeiture proceeding. HB 2003 would prohibit a county or district attorney from representing a local law enforcement agency in a forfeiture proceeding as a private attorney. The bill would prohibit any law firm affiliated with a county or district attorney from representing the local law enforcement agency in a forfeiture proceeding.

The Kansas Association of Counties indicates that HB 2003 would not have a fiscal effect on Kansas counties.

Sincerely,



Shawn Sullivan,
Director of the Budget

cc: Ashley Michaelis, Judiciary
Brock Ingmire, League of Municipalities
Melissa Wangemann, Association of Counties
Shelia Sawyer-Tyler, KBI
Kim Torrey, Highway Patrol
Willie Prescott, Attorney General's Office