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Shawn Sullivan, Director of the Budget

Sam Brownback, Governor

January 26, 2018

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

Dear Representative Finch:

SUBJECT: Fiscal Note for HB 2516 by House Committee on Federal and State Affairs

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2516 is respectfully submitted to your committee.

HB 2516 would grant immunity from civil liability for damage caused to a motor vehicle by a person if said person enters the vehicle, by force or otherwise, for the purpose of removing a vulnerable person or domestic animal from the motor vehicle. Immunity would be granted if the person determines the motor vehicle is locked and there is no other way to enter the vehicle and has good faith and reasonable belief that the vulnerable person or domestic animal is in imminent danger of suffering harm. The person would also be required to notify local law enforcement before entering the vehicle, use no more force to enter the vehicle than is necessary and remain in a reasonable proximity to the vehicle until law enforcement arrives.

The Office of the Attorney General states that enactment of HB 2516 would potentially save local and state government funds as those funds apply to local and state employees who, while on the job, enter a locked motor vehicle to save a vulnerable person or domestic animal. Granting immunity for claims of damage could reduce tort claims against state and local governments. Reduced tort claims could reduce expenditures required to defend against those claims. While the Office of the Attorney General notes that enactment of the bill would likely reduce expenditures, the exact reduction of expenditures cannot be estimated.

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The Insurance Department, Kansas Association of Counties and the Kansas League of Municipalities do not estimate any fiscal effects relating to enactment of the bill. Any fiscal effect associated with HB 2516 is not reflected in *The FY 2019 Governor's Budget Report*.

Sincerely,

A handwritten signature in black ink, appearing to read "Shawn Sullivan", with a horizontal line extending to the right.

Shawn Sullivan,
Director of the Budget

cc: Chardae Caine, League of Municipalities
Melissa Wangemann, Association of Counties
Glenda Haverkamp, Insurance
Willie Prescott, Office of the Attorney General