

January 21, 2021

The Honorable Fred Patton, Chairperson
House Committee on Judiciary
Statehouse, Room 519C-N
Topeka, Kansas 66612

Dear Representative Patton:

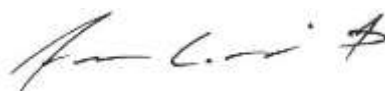
SUBJECT: Fiscal Note for HB 2011 by Representative Carmichael

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2011 is respectfully submitted to your committee.

HB 2011 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 and 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.

In September 2019, the Office of the Attorney General (OAG) and the Office of the Secretary of State (OSS) entered into a Memorandum of Understanding regarding the investigation and prosecution of election crimes. The terms of this agreement are consistent with the language in HB 2011; therefore, the OAG has already anticipated that the relatively low number of election crime prosecutions that may be referred to the agency by the OSS can be absorbed using existing resources in the OAG's Fraud and Abuse Litigation Division. The OSS indicates that enactment of HB 2011 would have no fiscal effect on the agency. The agency has no expenditures budgeted to prosecute election crimes in the state; thus, there would be no savings in the current or future years.

Sincerely,



Adam Proffitt
Director of the Budget

cc: Sandy Tompkins, Office of the Secretary of State