

February 13, 2024

The Honorable Susan Humphries, Chairperson
House Committee on Judiciary
300 SW 10th Avenue, Room 582-N
Topeka, Kansas 66612

Dear Representative Humphries:

SUBJECT: Fiscal Note for HB 2755 by House Committee on Judiciary

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2755 is respectfully submitted to your committee.

HB 2755 would specify that when a municipal court judge sets an appearance bond, the amount would be the same regardless of the method used to secure the appearance of the accused. The bill would amend various definitions and add a definition for “appearance bond premium” as outlined in the bill.

The chief judge of the judicial district may require a compensated surety to submit to a state and national criminal history check as a qualification for initial or continued authorization to act as a surety in the judicial district. The chief judge or designee would be authorized to submit the surety’s fingerprints to the Kansas Bureau of Investigation (KBI) or the Federal Bureau of Investigation for a state and national criminal history record check. The chief judge or designee may use the information obtained to verify the identification of the individual and for making an official determination of the qualifications for authorization in the judicial district. Disclosure or use of any information received by the chief judge or the chief judge's designee for any other purpose would be a class A nonperson misdemeanor. The KBI may charge a reasonable fee for conducting the criminal history record check and the individual seeking initial or continued authorization would be required to pay the costs of fingerprinting and the criminal history record check. The bill outlines actions a compensated surety would be required to take and reasons a chief judge may terminate or suspend the surety’s authority to operate.

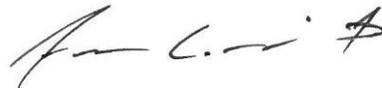
The Office of Judicial Administration states enactment of HB 2755 could increase the number of cases filed in district court because it would create a new crime, which could result in more time spent by court employees and judges processing and deciding these cases. Since this

crime carries a misdemeanor penalty, there could be additional supervision of offenders required to be performed by court service officers. According to the Office, a fiscal effect cannot be estimated until the Judicial Branch has had an opportunity to operate under the bill's provisions. The Office states enactment of the bill could result in the collection of docket fees, fines, and supervision fees in those cases filed under the bill's provisions, which would be credited to the State General Fund.

The KBI states any fiscal effect resulting from the bill's enactment would be negligible. Any fiscal effect associated with HB 2755 is not reflected in *The FY 2025 Governor's Budget Report*.

The League of Kansas Municipalities states enactment of the bill would have a fiscal effect on cities. According to the League, municipal courts would experience increased costs associated with enforcement of the bill's provisions and related training. The League indicates that for some cities the bill's enactment would create a shift in how the courts currently operate.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam C. Proffitt", with a stylized flourish at the end.

Adam C. Proffitt
Director of the Budget

cc: Trisha Morrow, Judiciary
Paul Weisgerber, Kansas Bureau of Investigation
Wendi Stark, League of Kansas Municipalities
Jay Hall, Kansas Association of Counties