

February 22, 2023

The Honorable Kellie Warren, Chairperson  
Senate Committee on Judiciary  
300 SW 10th Avenue, Room 346-S  
Topeka, Kansas 66612

Dear Senator Warren:

**SUBJECT:** Fiscal Note for SB 141 by Senator Holland

In accordance with KSA 75-3715a, the following fiscal note concerning SB 141 is respectfully submitted to your committee.

SB 141 would create the Corrupt Public Officer or Public Employee Reporting Act, also known as the Corrupt Reporting Act. The bill would allow a person to request an inquiry and investigation by the Attorney General, signed by the person under penalty of perjury, declaring that the person is or has been:

1. The victim of corruption committed by a public officer or public employee; or
2. A witness to corruption committed by a public officer or public employee.

If the Attorney General has reasonable grounds to believe that a crime has been committed as a result of this conduct based on the Attorney General's own inquiries or as a result of statements filed pursuant to the inquiry or investigation, the Attorney General must apply to a district judge to conduct an inquisition or petition for a state grand jury to be summoned. If the Attorney General is required to petition for a grand jury to be summoned, then the Attorney General would petition to the chief judge of any district court. The chief judge or their designee would then be required to order a grand jury to be summoned that has jurisdiction to investigate and indict for crimes committed anywhere in the state. The Attorney General would be required to make all statements filed publicly available on its official website, except personally identifiable information which would be redacted.

In the event the Office of the Attorney General would be expected to prosecute charges resulting from inquisitions or grand jury proceedings, the Office estimates that the bill would

increase its State General Fund expenditures by \$258,815 in FY 2024 for 2.00 FTE positions and other operating costs. Of that amount, \$209,508 would be for salary and benefits for 1.00 Assistant Attorney General FTE position and 1.00 Investigator FTE position; and other operating costs of \$49,307 for office equipment, office rent, travel, computers, and other related costs and supplies needed to equip the new staff.

The Office of Judicial Administration indicates that SB 141 could create additional work for district court chief judges if they are requested to summon a grand jury or preside over an inquisition. Criminal cases could be filed with the district court if the grand jury or inquisition results in charges. However, the agency cannot estimate a fiscal effect at this time. Any fiscal effect associated with SB 141 is not reflected in *The FY 2024 Governor's Budget Report*.

The Kansas Association of Counties indicates SB 141 could increase costs for counties associated with court proceedings, but a precise fiscal effect cannot be determined. The League of Kansas Municipalities indicates SB 141 would not have a fiscal effect on cities.

Sincerely,

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

Adam Proffitt  
Director of the Budget

cc: John Milburn, Office of the Attorney General  
Vicki Jacobsen, Judiciary  
Jay Hall, Kansas Association of Counties  
Wendi Stark, League of Kansas Municipalities