

February 27, 2023

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

Dear Senator Warren:

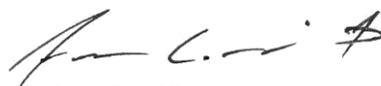
SUBJECT: Fiscal Note for SB 241 by Senate Committee on Judiciary

In accordance with KSA 75-3715a, the following fiscal note concerning SB 241 is respectfully submitted to your committee.

SB 241 would specify that on and after July 1, 2023, upon final discharge for an adjudication concerning an act committed by a juvenile which, if committed by an adult, would constitute a nonperson misdemeanor, the court would be required to order the expungement of all records or files related to the adjudication. An order expunging records would not require any action by the juvenile and a docket fee could not be charged. Records not automatically expunged could still be expunged upon application to the court if the court makes the requisite findings.

The Office of Judicial Administration states enactment of the bill could have a fiscal effect on Judicial Branch operations if district court clerks are required to keep track of expungements, which could increase their workload. Additionally, the Office states there is not a current automated process or system for clerks to track expungements and it would likely be a manual process. If there is a way to automate the process, there would be additional programming costs to update the Judicial Branch centralized case management system. Also, the Office states there are currently docket fees charged in expungement cases. Enactment of SB 241 would not allow for the assessment of docket fees for expungement petitions for cases under the bill's provisions, which would result in a decrease in docket fee revenue to the State General Fund. The Office states a fiscal effect cannot be estimated until the Judicial Branch has had an opportunity to operate under the bill's provisions. Any fiscal effect associated with SB 241 is not reflected in *The FY 2024 Governor's Budget Report*.

Sincerely,



Adam Proffitt
Director of the Budget

cc: Vicki Jacobsen, Judiciary
Paul Weisgerber, KBI