

March 6, 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 95 by Senate Committee on Federal and State Affairs

In accordance with KSA 75-3715a, the following fiscal note concerning SB 95 is respectfully submitted to your committee.

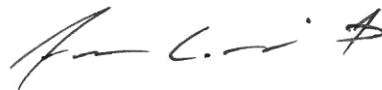
SB 95 would amend current law to allow prosecution of crimes listed in the bill to be commenced at any time. The bill would add a provision that prosecution for certain childhood sexual abuse crimes may be commenced at any time for victims under 18 years of age. The bill would authorize an action against any party for recovery of damages suffered as a result of childhood sexual abuse at any time. Under current law, these lawsuits must be filed within three years of the claimant turning 18 years old or within three years of the claimant discovering that an injury or illness was caused by childhood sexual abuse. The bill would amend the definition of "childhood sexual abuse." The bill also would specify that all claims against any party for damages suffered as a result of childhood sexual abuse that occurred on or after July 1, 1984, would be revived.

The Office of Judicial Administration states enactment of SB 95 could increase the number of cases filed in district court because it removes the statute of limitations to file an action related to childhood sexual abuse, which could result in more time spent by court employees and judges processing and deciding these cases. The Office estimates enactment of the bill could result in the collection of additional docket fees in those cases filed under the bill's provisions, which would be credited to the State General Fund. 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 Kansas Sentencing Commission states that enactment of SB 95 could have an effect on prison admissions and bed space, but that this effect cannot be determined at this time. The current estimated available bed capacity is 9,428 for males and 936 for females. Based upon the

Commission's most recent ten-year projection contained in its *FY 2023 Adult Inmate Prison Population Projections* report, it is estimated that the year-end population will total 7,933 male and 764 female inmates in FY 2023 and 8,043 male and 740 female inmates in FY 2024. The Department of Corrections indicates that enactment of the bill would have no fiscal effect. Any fiscal effect associated with SB 95 is not reflected in *The FY 2024 Governor's Budget Report*.

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: Vicki Jacobsen, Judiciary
Scott Schultz, Sentencing Commission
Randy Bowman, Department of Corrections