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Laura Kelly, Governor

March 19, 2026

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 494 by Senate Committee on Judiciary

In accordance with KSA 75-3715a, the following fiscal note concerning SB 494 is respectfully submitted to your committee.

SB 494 would amend the definition of stalking to include accessing the targeted person's email, social media, connected vehicle services or other application accounts to gather information about the person or their family. The bill would also add using surveillance cameras, eavesdropping equipment, equipment spyware or stalkerware to the definition of stalking. The bill would also require law enforcement agencies' policies and procedures to include provisions requiring officers to determine the primary aggressor in domestic violence calls and that arrest is the preferred response only for the primary aggressor. The bill would also require a prosecuting attorney filing a complaint for a domestic violence offense to affirm in a written statement that a primary aggressor analysis was completed. The bill would define "primary aggressor" and list certain factors that would be considered in making such a determination. The bill would prohibit public agencies from charging fees for providing access to or furnishing copies of domestic violence records. The bill would also specify that the court could order a defendant to restrain from contacting a plaintiff, including digital communication, prohibit a defendant from entering within 300 feet of certain locations, and prohibit a defendant from accessing a connected vehicle service in a vehicle that is being driven by the victim. The bill would allow a court to issue a lifetime protective order for cases involving domestic battery. Under the bill, the Attorney General would be required to set rules for the batterer intervention program, including a 52-week attendance requirement and specific participation criteria.

The Office of Judicial Administration indicates enactment of the bill could increase the number of cases filed in district courts because it expands the definition of stalking. The bill also

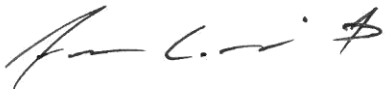
would provide additional factors for judges to consider when issuing orders. This would increase the time spent by district court judicial and nonjudicial personnel in processing, researching, and hearing cases. The bill could also result in a decrease in revenue collected by the district courts because the bill's provisions would prohibit public entities from charging fees to victims of domestic violence for public records. The bill could also result in the collection of docket fees in cases filed under the provisions of the bill, which would be deposited in the State General Fund. However, a precise fiscal effect cannot be estimated.

The Sentencing Commission indicates enactment of the bill could increase prison admissions and beds, but the total effect cannot be determined.

The Kansas Bureau of Investigation, Department of Corrections, and Highway Patrol indicate enactment of the bill would not have a fiscal effect on the agencies.

The Division of the Budget reached out to the Attorney General for a fiscal effect and did not receive a response. Any fiscal effect associated with SB 494 is not reflected in *The FY 2027 Governor's Budget Report*.

Sincerely,



Adam C. Proffitt
Director of the Budget

cc: Matt Bingesser, Office of the Attorney General
Paul Weisgerber, Kansas Bureau of Investigation
Sherry Macke, Kansas Highway Patrol
Jennifer King, Department of Corrections
Scott Schultz, Kansas Sentencing Commission
Trisha Morrow, Judiciary