

SESSION OF 2009

**SUPPLEMENTAL NOTE ON SENATE BILL NO. 148**

As Amended by Senate Committee on  
Judiciary

**Brief\***

SB 148, as amended, would establish the Kansas silver alert plan to provide public notice of a missing elderly person. The bill would authorize, but does not require, a prompt broadcast or a timely search. The plan would be implemented by the Kansas Attorney General's Office in collaboration with state and local law enforcement, and other public and private agencies and organizations.

The bill would be in effect upon its publication in *The Kansas Register*.

**Background**

The proponent of the bill who presented testimony at the Senate Committee hearing was Irv Hoffmann, President, Kansas Silver Haired Legislators.

There was no testimony in opposition to the bill at the Senate Committee hearing.

Kent Cornish, Kansas Association of Broadcasters; and David Schroeder, Special Agent in Charge, Kansas Bureau of Investigation provided neutral testimony to the Senate Committee.

The Senate Committee on Judiciary amended the bill to make the provisions regarding a prompt broadcast and timely search permissive.

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\*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

According to the fiscal note on the bill as introduced, even though the bill does not specifically state how the Kansas Silver Alert Plan would operate, the Plan would most likely operate in a manner similar to AMBER Alerts. According to the Kansas Bureau of Investigation (KBI), in 2007, 67 people over 65 years of age were reported missing in Kansas and in 2008, 66 were reported missing. There were three AMBER alerts in 2007 and two in 2008. The KBI indicates that it does not have the resources to enact the Kansas Silver Alert Plan. The number of elderly people who are reported missing every year would result in the agency spending less time on criminal investigations. The KBI estimates that an average AMBER alert is in effect no less than four hours and requires several agents, a help desk employee, and a legal assistant. Also, the agency could have overtime costs associated with these alerts depending on the time of day the alerts are issued. The agency's estimate considers overtime and therefore would most likely be on the higher end of the actual expenditures. The agency estimates six special agents at an overtime cost of \$59.17 per hour for an alert lasting four hours would cost \$1,420.08 ( $\$59.17 \times 6 \times 4$ ). One help desk employee at an overtime cost of \$38.95 for four hours would cost \$155.80 ( $\$38.95 \times 4$ ). One legal assistant at an overtime cost of \$35.39 for four hours would cost \$141.56 ( $\$35.39 \times 4$ ). The agency estimates that it could cost as much as \$1,717.44 ( $\$1,420.08 + \$155.80 + \$141.56$ ) from the State General Fund in FY 2010 for each Kansas Silver Alert issued. Therefore, if there were 65 alerts were issued in FY 2010, the agency would require \$111,633.60 ( $\$1,717.44 \times 65$ ) from the State General Fund.

The Office of the Attorney General indicates that the fiscal effect of SB 148 cannot be estimated because the bill does not specify how the Plan is to be established and implemented. However, the Attorney General indicates that if the Plan is similar to the AMBER Alert, then the bill could have a fiscal effect that could require additional state funds. The Kansas Highway Patrol states that it is already involved in searches of this type and, therefore, could absorb the requirements of SB 148 within its existing staff and resources. According to the

League of Kansas Municipalities, the requirements of this bill would cause a negligible fiscal effect to cities. Information regarding the effect of SB 148 has been requested from the Kansas Association of Counties; however, a response to the request had not been received at the time this fiscal note was prepared. A revised fiscal note will be completed if specific information regarding the bill's fiscal effect is received.