

January 28, 2025

The Honorable Susan Humphries, Chairperson
House Committee on Judiciary
300 SW 10th Avenue, Room 582-N
Topeka, Kansas 66612

Dear Representative Humphries:

SUBJECT: Fiscal Note for HB 2061 by House Committee on Judiciary

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2061 is respectfully submitted to your committee.

HB 2061 would include aboveground and belowground lines, cables, and wires in the definition of a critical infrastructure facility for the crimes of trespassing on a critical infrastructure facility and criminal damage to a critical infrastructure facility.

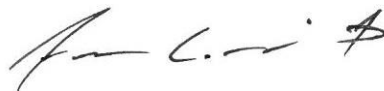
The Board of Indigents Defense Services indicates that the bill would increase agency expenditures on legal counsel and support staff by unknown amounts. The Board estimates that on average, severity level 5, 6, and 7, non-person felony cases require 57 hours of direct work by an attorney to provide constitutionally adequate representation. Based on the rates of \$83.36 per hour for public defenders and \$125 per hour for assigned counsel, each new severity level 5, 6, or 7, nonperson felony case brought to the agency would result in State General Fund expenditures of \$4,752 to \$7,125.

The Judiciary indicates that the bill has the potential to increase the number of cases filed in district courts. This may increase agency operating expenditures due to the additional time spent by district court judicial and nonjudicial personnel in processing, researching, and hearing cases. The agency indicates that the bill could also increase the amount of offender supervision required by its court services officers. However, the Judiciary is unable to calculate an exact estimate of these effects. The bill has the potential to increase the collection of docket fees, fines, and supervision fees, which are deposited in the State General Fund; however, the amount of additional collections is unknown.

The Sentencing Commission indicates that the bill has the potential to increase prison admissions and the number of required prison beds, but any effect is likely to be small. The Department of Corrections indicates that the bill could increase agency operating expenditures by a negligible amount that would be accommodated within existing resources. Any fiscal effect associated with HB 2061 is not reflected in *The FY 2026 Governor's Budget Report*.

The Kansas Association of Counties indicates that the bill has the potential to increase county government expenditures on legal proceedings. The League of Kansas Municipalities indicates that the bill would have a negligible fiscal effect on cities.

Sincerely,

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

Adam C. Proffitt
Director of the Budget

cc: Trisha Morrow, Judiciary
Scott Schultz, Kansas Sentencing Commission
Jennifer King, Department of Corrections
Jay Hall, Kansas Association of Counties
Heather Cessna, Board of Indigents Defense Services
Wendi Stark, League of Kansas Municipalities