

February 13, 2025

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 155 by Senate Committee on Judiciary

In accordance with KSA 75-3715a, the following fiscal note concerning SB 155 is respectfully submitted to your committee.

SB 155 would add harboring or concealing a person who is alleged to have violated the terms of probation, assignment to a community correctional services program, parole, post release supervision, conditional release, or a suspended sentence to the crime of obstructing apprehension or prosecution. If the person being aided has committed or been charged with a felony, the offense would be classified as a severity level 8, nonperson felony. If the person being aided has committed or been charged with a misdemeanor, the offense would be classified as a Class C misdemeanor.

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, a severity level 8, nonperson felony case requires 35 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 8, nonperson felony case brought to the agency would result in State General Fund expenditures of \$2,918 to \$4,375. The Board indicates that it may require 1.00 new FTE attorney position and possibly additional support staff depending on the number of new cases brought to the agency under the provisions of the bill.

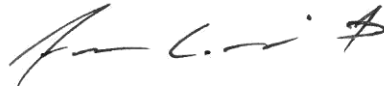
The Sentencing Commission indicates that the bill has the potential to increase prison admissions and the number of prison beds needed; however, an exact estimate of this effect cannot be determined. The Department of Corrections indicates that the bill has the potential to increase

agency operating expenditures by a negligible amount that could be absorbed within existing resources.

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. However, the Judiciary is unable to calculate an exact estimate of this effect. 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. Any fiscal effect associated with SB 155 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 enforcement and 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: Heather Cessna, Board of Indigents Defense Services
Jennifer King, Department of Corrections
Trisha Morrow, Judiciary
Scott Schultz, Kansas Sentencing Commission
Jay Hall, Kansas Association of Counties
Wendi Stark, League of Kansas Municipalities