

February 19, 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 187 by Senate Committee on Judiciary

In accordance with KSA 75-3715a, the following fiscal note concerning SB 187 is respectfully submitted to your committee.

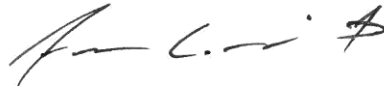
SB 187 would specify that on and after July 1, 2025, upon final discharge for an adjudication concerning an act committed by a juvenile which, if committed by an adult, would constitute a nonperson misdemeanor, the court would be required to order the expungement of all records or files related to the adjudication. An order expunging records would not require any action by the juvenile and a docket fee could not be charged. Records not automatically expunged could still be expunged upon application to the court if the court makes the requisite findings.

The Office of Judicial Administration indicates enactment of the bill would increase expenditures of the Judicial Branch. The Office states that enactment of the bill would require the district court clerk to file the expungement documents and schedule a court hearing. After the hearing is completed, the district court clerk would file the order of expungement and mail the certified copy to the Kansas Bureau of Investigation (KBI). The Office states that these new requirements would increase the workload of district court personnel. However, a fiscal effect cannot be estimated.

The KBI states that enactment of the bill would increase expenditures by \$1,524,248 in FY 2026 and \$1,452,248 in FY 2027 from the State General Fund to hire 18.00 positions. The KBI states it receives approximately 3,500 expungements per year, with the current administrative officer processing approximately 2,700. Since 2019, the KBI reports there has been an average of 45,700 juvenile court events annually received at KBI that exclude the statutes as indicated the bill that would need to be expunged. Each expungement requires an administrative officer to locate

the record, expunge the state criminal history record, expunge the national criminal history record at the Federal Bureau of Investigation, and make and mail copies for the Secretary of Corrections, appellate courts, and any criminal justice agencies that may have a record of the event. The KBI estimates the need for 16.00 additional administrative officers to process the 45,700 additional expungements annually. The cost per administrative officer would be \$79,633 or \$1,274,128 annually (16.00 positions x \$79,633). In addition, the KBI estimates it would need 2.00 public service administrator positions to supervise the staff members at a cost of \$89,060 per position or \$178,120 annually. The KBI also states it would need 18 computers and equipment at a cost of \$4,000 per staff member or \$72,000 in FY 2026. As a result, enactment of the bill would increase expenditures for the KBI by \$1,524,248 in FY 2026 (\$1,274,128 administrative officer positions + \$178,120 public service administrator positions + \$72,000 one-time equipment expenditures = \$1,524,248) and \$1,452,248 in FY 2027 (\$1,274,128 administrative officer positions + \$178,120 public service administrator positions = \$1,452,248), all from the State General Fund. Any fiscal effect associated with SB 187 is not reflected in *The FY 2026 Governor's Budget Report*.

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
Paul Weisgerber, Kansas Bureau of Investigation