

April 7, 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 220 by Senator Sykes, et al.

In accordance with KSA 75-3715a, the following fiscal note concerning SB 220 is respectfully submitted to your committee.

Under current law, unlawful employment of a person or child in violation of child labor laws carries a penalty of 30 to 90 days in jail and a fine of \$25 to \$100. SB 220 would replace these penalties with a class A misdemeanor for the first offense, a severity level 7, person felony for the second offense, and a severity level 5, person felony for the third or subsequent offense. In addition to these criminal penalties, the bill would establish a mandatory fine of \$25,000 for a second conviction of this offense, and a fine of \$50,000 for third or subsequent convictions. The bill would take effect on July 1, 2025.

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 5-7, person felony case requires 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 5-7, person felony case brought to the agency would result in State General Fund expenditures of \$4,752 to \$7,125. 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.

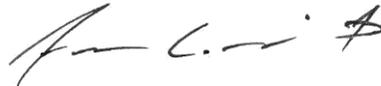
The Judiciary indicates that by increasing certain criminal penalties, the bill has the potential to require less supervision of offenders by court services officers. This would result in a decrease of supervision fee revenues deposited in the State General Fund; however, the Judiciary

is unable to calculate a precise estimate of this effect. The Judiciary also states that the bill has the potential to increase the collection of fines; however, the amount of additional collections is unknown.

The Sentencing Commission indicates that the bill has the potential to increase prison admissions and prison beds; however, any increase resulting from the bill's enactment is expected to be small. The Department of Corrections indicates that the bill could increase agency operating expenditures by a negligible amount, which would be accommodated within existing resources. Any fiscal effect associated with SB 220 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 no 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
Trisha Morrow, Judiciary
Scott Schultz, Kansas Sentencing Commission
Jennifer King, Department of Corrections
Jay Hall, Kansas Association of Counties
Wendi Stark, League of Kansas Municipalities