

February 14, 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 91 by Senator Haley

In accordance with KSA 75-3715a, the following fiscal note concerning SB 91 is respectfully submitted to your committee.

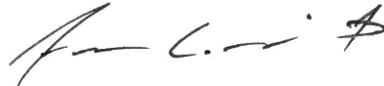
SB 91 would entitle individuals wrongfully convicted or imprisoned to receive interest on the damages awarded from the date the suit for the claim was filed at the rate provided for interest on judgments in statute. The bill would also require that whenever any judgment has been entered for wrongful conviction and imprisonment, the Attorney General must seek to recover damages for the State of Kansas for the benefit of the State General Fund from any person who knowingly contributed to the wrongful conviction and imprisonment of the claimant.

The Office of the Attorney General indicates enactment of the bill would increase expenditures by \$383,970 in FY 2026 and \$403,168 in FY 2027 from the State General Fund for 3.00 positions to seek damages to reimburse the State General Fund. Of the FY 2026 amount, \$267,810 would be for salaries and wages for 2.00 Assistant Attorneys General positions and \$63,752 would be for salaries and wages for 1.00 Trial Assistant position. The Office states it would also require \$52,408 for other operating expenditures for the additional positions, including expenditures for office space, information technology, and training. The FY 2027 amount includes a 5.0 percent increase from the FY 2026 amount. The Office indicates enactment of the bill could result in it recovering funds, which would be deposited into the State General Fund, but that this effect cannot be estimated.

The Office of Judicial Administration indicates enactment of the bill could increase the number of cases filed in district courts because it would allow the Attorney General to seek damages from anyone who knowingly contributed to a person's wrongful conviction and to

criminally prosecute them. This would increase the time spent by district court judicial and nonjudicial personnel in processing, researching, and hearing cases. The Office states the bill could also result in the collection of docket fees, which would be deposited into the State General Fund. However, a fiscal effect cannot be estimated. Any fiscal effect associated with SB 91 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: Matt Bingesser, Office of the Attorney General  
Trisha Morrow, Judiciary