

March 4, 2011

The Honorable Pat Colloton, Chairperson  
House Committee on Corrections and Juvenile Justice  
Statehouse, Room 167-W  
Topeka, Kansas 66612

Dear Representative Colloton:

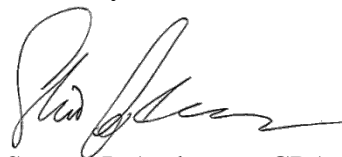
**SUBJECT:** Fiscal Note for HB 2259 by House Committee on Judiciary

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2259 is respectfully submitted to your committee.

HB 2259 would require magistrates to articulate certain findings when setting amounts of appearance bonds. Magistrates must also articulate the documentation that demonstrates the qualifications to allow a person to make a cash deposit for 10.0 percent of the bond. If the magistrate does not have a factual basis for each of the qualifications, then the magistrate may not permit the bond deposit. The bill would also limit the conditions under which courts may determine that a person who has been charged with a crime may be released on the person's own recognizance.

According to the Office of Judicial Administration, additional court service officer time would be required from the likelihood that magistrates would require more complete investigations into and reports detailing the qualifications or factors for determining appearance bond amounts. The investigation time could affect the total amount of time needed to spend on supervision cases. Because FY 2010 data show that there were approximately 15,954 pre-trial supervision cases, it is assumed that passage of HB 2259 would have a sizable fiscal effect for the Judiciary. However, it is not possible to predict the number of cases that would be affected or how complex and time-consuming they would be. Therefore, a precise fiscal effect cannot be determined. Any fiscal effect associated with HB 2259 is not reflected in *The FY 2012 Governor's Budget Report*.

Sincerely,



Steven J. Anderson, CPA, MBA  
Director of the Budget

cc: Mary Rinehart, Judiciary