

March 7, 2011

The Honorable Tim Owens, Chairperson  
Senate Committee on Judiciary  
Statehouse, Room 559-S  
Topeka, Kansas 66612

Dear Senator Owens:

**SUBJECT:** Fiscal Note for SB 217 by Senate Committee on Ways and Means

In accordance with KSA 75-3715a, the following fiscal note concerning SB 217 is respectfully submitted to your committee.

SB 217 would provide reimbursement for expenditures under certain circumstances for cases related to people civilly committed under the Sexually Violent Predator Act. The bill would set procedures for determining which county would be responsible for the expenditures related to the case. Under SB 217, the county responsible for the expenses would be reimbursed by the Sexually Violent Predator Expense Fund of the Attorney General. The Attorney General would develop and implement procedures for providing the reimbursement. If there are not sufficient monies in the fund, then the county could file a claim against the state.

Estimated State Fiscal Effect				
	FY 2011 SGF	FY 2011 All Funds	FY 2012 SGF	FY 2012 All Funds
Revenue	--	--	--	--
Expenditure	--	--	\$18,000 - \$50,000	\$18,000 - \$50,000
FTE Pos.	--	--	--	--

The Office of Judicial Administration indicates that passage of SB 217 could increase time spent by district court clerks to request reimbursement of expenditures; however, the fiscal effect would be negligible and would be absorbed within the agency's current budget.

The Sexually Violent Predator Fund currently has no consistent revenue source. Therefore, the Attorney General would have no funds available to pay the county requesting reimbursement for the expenditures. According to the Office of the Attorney General (AG), there are currently 17 cases that could qualify under the provisions of the bill. Of those cases, the AG estimates that three to five cases could have reimbursement expenditures that could total \$18,000 to \$50,000 per year.

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Page 2—Fisc\_Note\_Sb217

The county responsible for the expenditures related to these cases would be reimbursed. However, it is not possible to predict the number of cases that would qualify for reimbursement and the costs associated to each case. Therefore, no estimate is provided. Any fiscal effect associated with SB 217 is not reflected in *The FY 2012 Governor's Budget Report*.

Sincerely,

A handwritten signature in black ink, appearing to read "Steven J. Anderson". The signature is fluid and cursive, with a long horizontal stroke at the end.

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

cc: Melissa Wangemann, KS Association of Counties  
Larry Baer, League of KS Municipalities  
Mary Rinehart, Judiciary  
Megan Pinegar, Attorney General's Office