

February 1, 2012

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

Dear Senator Owens:

SUBJECT: Fiscal Note for SB 322 by Senate Committee on Judiciary

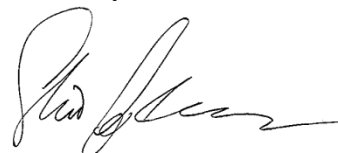
In accordance with KSA 75-3715a, the following fiscal note concerning SB 322 is respectfully submitted to your committee.

SB 322 updates a number of statutes related to expungements. These technical changes are designed to reconcile statutes.

SB 322 would also increase the fee the clerks of the district courts could charge from \$5 to \$14 for entering and filing lien statements. On or after the effective date of this act through June 30, 2013, the Supreme Court may impose an additional charge, not to exceed \$22 per lien fee, to fund the cost of non-judicial personnel. The bill would extend the current Judicial Branch surcharge of one additional year, to June 30, 2013. SB 322, if passed, would take effect after its publication in the *Kansas Register*.

The Kansas Bureau of Investigation reports that SB 322 would have no fiscal effect in FY 2012 other than an increase in lien fees, which would be a small but undetermined amount. For FY 2013, SB 322 would extend the surcharge for salaries of non-judicial personnel, which has been taken into account in the FY 2013 budget. It was estimated in FY 2012 that the surcharge revenue would total approximately \$11.0 million. Based on actual revenue for the first half of FY 2012, the Judicial Branch now projects that total surcharge revenue will be only \$10.0 million. Because FY 2012 estimates were used for FY 2013 budget, revenues will be \$1.0 million less than expected. This bill itself simply continues the surcharge; the projected drop in revenues is not specifically related to this bill. Any fiscal effect associated with SB 322 is not reflected in *The FY 2013 Governor's Budget Report*.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Anderson", written over a white background.

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

cc: Mary Rinehart, Judiciary

Linda Durand, KBI