

March 4, 2013

CORRECTED

The Honorable Jeff King, Chairperson  
Senate Committee on Judiciary  
Statehouse, Room 341-E  
Topeka, Kansas 66612

Dear Senator King:

**SUBJECT:** Corrected Fiscal Note for SB 167 by Senator Faust-Goudeau, et al.

In accordance with KSA 75-3715a, the following corrected fiscal note concerning SB 167 is respectfully submitted to your committee.

SB 167 would amend current law by expanding the statute of limitations for rape and sexually violent crime prosecutions. In the fiscal effect statement originally issued, references to sexually violent crimes were incorrectly excluded. Under the bill, prosecutions for rape may be commenced at any time. Prosecutions for sexually violent crimes may be initiated under the following conditions:

1. When the victim is 18 years of age or older, the prosecution would be commenced within the limitation of time provided by the law or one year from the date on which the identity of the suspect is conclusively established by DNA testing; or
2. When the victim is under 18 years of age, the prosecution would be commenced within ten years of the date the victim turns 18 years of age or one year from the date on which the identity of the suspect is conclusively established by DNA testing, whichever is later.

According to the Office of Judicial Administration, SB 167 has the potential for increasing the number of prosecutions filed in district courts and appeals filed in appellate courts. This would increase the time spent by district and appellate court judicial and non-judicial personnel in processing, researching, and hearing cases. Likewise, the additional cases could also result in the collection of added revenue from docket fees and penalties. However, it is not possible to predict the number of additional court cases that would arise or how complex and time-consuming they would be. Therefore, a precise fiscal effect cannot be determined. In any case, the fiscal effect would most likely be accommodated within the existing schedule of court cases and would not require additional resources.

The Honorable Jeff King, Chairperson

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Page 2—SB 167 Corrected

The Kansas Sentencing Commission states that passage of SB 167 would have a negligible impact on prison admissions and bed needs. Any fiscal effect associated with SB 167 is not reflected in *The FY 2014 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: Mary Rinehart, Judiciary  
Scott Schultz, Sentencing Commission  
Pat Scalia, BIDS