

March 10, 2015

The Honorable John Rubin, Chairperson
House Committee on Corrections and Juvenile Justice
Statehouse, Room 151-S
Topeka, Kansas 66612

Dear Representative Rubin:

SUBJECT: Fiscal Note for HB 2271 by House Committee on Corrections and Juvenile Justice

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2271 is respectfully submitted to your committee.

Under current law, certain offenses give rise to forfeiture whether or not there is a prosecution or conviction related to the offense. HB 2271 would require that forfeiture occur only after there is a conviction related to the offense.

The Kansas Bureau of Investigation (KBI) estimates that HB 2271 could reduce revenues to the agency's forfeiture fund by approximately \$46,700 annually and reduce expenditures from the fund by about \$22,400 annually. However, the bill is not expected to affect agency operations. KBI states that the funds are used as additions to the normal operating budget and are not considered when planning for on-going budget needs. The agency indicates that under current law there are circumstances in which property and proceeds are derived from a criminal act but the offenders are not identified or the facts of the case do not give rise to prosecution of the offender. Existing law allows law enforcement the ability to dismantle large criminal enterprises that may not be subject to individual arrest.

It is likely that local law enforcement agencies would incur a fiscal effect from HB 2271. However, the Kansas Association of Counties and the League of Kansas Municipalities were not able to provide precise estimates of the fiscal effect because aggregate data of local government

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asset forfeiture revenue is not available. Any fiscal effect associated with HB 2271 is not reflected in *The FY 2016 Governor's Budget Report*.

Sincerely,

A handwritten signature in black ink, appearing to read "Shawn Sullivan", with a horizontal line extending to the right.

Shawn Sullivan,
Director of the Budget

cc: Shelia Sawyer-Tyler, KBI
Mary Rinehart, Judiciary
Larry Baer, League of Municipalities
Melissa Wangemann, Association of Counties