

February 11, 2016

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 2593 by House Committee on Corrections and Juvenile Justice

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2593 is respectfully submitted to your committee.

HB 2593 would require a video recording to be made of any custodial investigation conducted in any place of detention when the interrogation conducted concerns capital murder, first degree murder, second degree murder, or rape. The bill specifies certain circumstances when a video recording would not be required. If a court finds a defendant's interrogation violated the law, the defendant would be entitled to a jury instruction on the failure to record the interrogation. The bill would establish rules for retaining and disclosing video recordings.

The Office of Judicial Administration states HB 2593 includes circumstances when a video recording would not be required and litigation may be needed to determine if the video recording should have been used in certain cases. However, a fiscal effect cannot be estimated.

The Kansas Bureau of Investigation (KBI) states that enactment of HB 2593 would require additional funding to develop storage solutions to retain the video recordings. The Office of the Attorney General indicates enactment of HB 2593 could have a fiscal effect on the agency. However, both the KBI and the Attorney General are unable to provide a fiscal effect estimate.

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The Kansas Association of Counties indicates that counties would have to purchase equipment for the video recordings and develop storage solutions to retain the recordings. Any fiscal effect associated with HB 2593 is not reflected in *The FY 2017 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: Ashley Michaelis, Judiciary  
Willie Prescott, Attorney General's Office  
Shelia Sawyer-Tyler, KBI  
Larry Baer, League of Municipalities  
Melissa Wangemann, Association of Counties  
Kim Torrey, Highway Patrol