

February 10, 2016

The Honorable John Barker, Chairperson  
House Committee on Judiciary  
Statehouse, Room 519-N  
Topeka, Kansas 66612

Dear Representative Barker:

**SUBJECT:** Fiscal Note for HB 2611 by House Committee on Corrections and Juvenile Justice

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2611 is respectfully submitted to your committee.

HB 2611 would allow civil action for claimants wrongfully convicted of a felony under the Kansas Criminal Code who served all or part of any sentence in a state correctional facility. The claimant would be required to demonstrate they did not commit the crime and did not plead guilty or no contest to the crime. The claimant would be required to bring suit within two years of release from imprisonment. The bill would allow for damages based on the federal minimum wage multiplied by 2,080 for each year the claimant was incarcerated plus costs related to the suit, including legal fees. Awards made under the new law would be used to offset any other award in a related action brought against the state or any of its political subdivisions or employees.

The Office of Judicial Administration indicates HB 2611 could increase costs from additional time spent by judicial and nonjudicial personnel processing, researching and hearing new cases and appeals in district court and appellate court related to wrongful felony convictions. Likewise, the courts could also see increased docket fee revenues from the additional filings. However, a precise estimate cannot be provided.

Sincerely,



Shawn Sullivan,  
Director of the Budget

cc: Ashley Michaelis, Judiciary