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Shawn Sullivan, Director of the Budget

Sam Brownback, Governor

February 18, 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 2647 by House Committee on Corrections and Juvenile Justice

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2647 is respectfully submitted to your committee.

HB 2647 would make a person who enters a vehicle by force or otherwise to remove a vulnerable person or domestic animal immune from civil liability for damage to the motor vehicle if the person:

1.   Determines the motor vehicle is locked or there is otherwise no reasonable method for the vulnerable person or domestic animal to exit the motor vehicle without assistance;

2.   Has a good faith and reasonable belief, based upon known circumstances, that entry into the motor vehicle is necessary, because the vulnerable person or domestic animal is in imminent danger of suffering harm;

3.   Ensures that law enforcement is notified or calls 911 before entering the motor vehicle or immediately thereafter;

4.   Uses no more force to enter the motor vehicle and remove the vulnerable person or domestic animal than is necessary; and

5.   Remains with the vulnerable person or domestic animal in a safe location, in reasonable proximity to the motor vehicle, until law enforcement or a first responder arrives.

The Office of Judicial Administration indicates HB 2647 could increase costs from additional time spent by judicial and nonjudicial personnel processing, researching and hearing new cases related to unlawful entry of motor vehicles. Likewise, the courts could also see increased docket fee revenues from the additional filings. However, an estimate cannot be provided.

Sincerely,

Shawn Sullivan,
Director of the Budget

cc: Ashley Michaelis, Judiciary