

February 24, 2016

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

Dear Senator King:

SUBJECT: Fiscal Note for SB 427 by Senator Haley

In accordance with KSA 75-3715a, the following fiscal note concerning SB 427 is respectfully submitted to your committee.

SB 427 would enact the Police and Citizen Protection Act. The bill would require every state, county, and municipal law enforcement officer who is primarily assigned to patrol duties to be equipped with a body camera while performing those duties. The bill outlines rules for use of the body cameras. Law enforcement agencies would be required to retain the video and audio recorded by the body camera for four weeks, unless any of the circumstances specified in the bill are present, in which case the recording would be retained for three years or as long as required by law for evidence that may be useful in a criminal prosecution. SB 427 would exempt the body camera recordings from the Kansas Open Records Act, while permitting specific individuals to request copies of the recordings. The bill specifies that law enforcement agencies would seek grants and other financial assistance from the federal government and other public or private sources to implement the provisions of the bill.

The Kansas Highway Patrol estimates additional expenditures of \$1,398,000 from agency fee funds in FY 2017 if SB 427 were enacted. Of that amount, \$1,383,000 would be to equip troopers with body cameras and the necessary equipment and \$15,000 would be for training.

The League of Kansas Municipalities and the Kansas Association of Counties states because of the wide range of costs for equipment; storing, reviewing, and deleting tapes; and requests for copies to be made and sent out, it is not possible to provide a fiscal effect on local governments.

The Office of Judicial Administration indicates enactment of SB 427 would not create new crimes. However, equipping law enforcement officers with body cameras in order to record law enforcement actions would provide additional factors to consider within existing cases. The provisions of the bill could provide additional evidence in a case and could increase the number

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of arguments that could be presented regarding the recordings. The bill could increase the amount of time spent on cases filed in district courts and the number of appeals relating to offenders convicted using the audio or video recordings. Enactment of SB 427 would not affect Judicial Branch revenues unless it results in the filing of additional appeals. Any fiscal effect associated with SB 427 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: Kim Torrey, Highway Patrol
Larry Baer, League of Municipalities
Melissa Wangemann, Association of Counties
Ashley Michaelis, Judiciary
Shelia Sawyer-Tyler, KBI
Willie Prescott, Attorney General's Office