

February 12, 2016

The Honorable Gregory Smith, Chairperson
Senate Committee on Corrections and Juvenile Justice
Statehouse, Room 441-E
Topeka, Kansas 66612

Dear Senator Smith:

SUBJECT: Fiscal Note for SB 430 by Senator Haley

In accordance with KSA 75-3715a, the following fiscal note concerning SB 430 is respectfully submitted to your committee.

SB 430 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 that 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 of \$80,000 for each year the claimant was incarcerated plus costs related to the suit, including legal fees. The amount would be prorated for partial years served. 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 SB 430 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, an estimate cannot be provided.

Sincerely,



Shawn Sullivan,
Director of the Budget

cc: Ashley Michaelis, Judiciary