

February 2, 2015

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 53 by Senate Committee on Corrections and Juvenile Justice

In accordance with KSA 75-3715a, the following fiscal note concerning SB 53 is respectfully submitted to your committee.

SB 53 would amend the principles of criminal liability by modifying the circumstances in which a person is held criminally responsible for a crime committed by another. A person would be held liable if he or she (1) aids, abets, commands or induces the other to commit the crime; or (2) the person intentionally, knowingly or recklessly causes an act to be done which would be a crime if directly committed by the offender. A person may be liable for a crime even when the person who actually committed the act is an innocent agent.

The Office of Judicial Administration states that SB 53 could result in some persons being prosecuted for crimes committed by another who would not be prosecuted under current law. This would increase the number of cases filed in district courts which would increase the time spent by court staff and judges to process, research, and hear cases. The bill could also result in additional appellate cases. Any additional cases could result in increased docket fee revenue. However, it is not possible to predict the number of additional cases that would arise or how complex and time-consuming they would be. Therefore, a precise fiscal effect cannot be determined. Any fiscal effect associated with SB 53 is not reflected in *The FY 2016 Governor's Budget Report*.

Sincerely,



Shawn Sullivan,  
Director of the Budget

cc: Mary Rinehart, Judiciary  
Scott Schultz, Sentencing Commission  
Pat Scalia, Indigents Defense Services