

February 4, 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 90 by Senate Committee on Corrections and Juvenile Justice

In accordance with KSA 75-3715a, the following fiscal note concerning SB 90 is respectfully submitted to your committee.

SB 90 proposes a state licensing process overseen by the Office of the Attorney General for bail enforcement agents, commonly known as bounty hunters. Exempted from the law are sureties, commercial businesses who issue appearance bonds, and bail agents who are authorized by a Kansas surety business to execute bail bonds.

The bill authorizes the Office of the Attorney General to charge up to \$200 for a two-year license and up to \$175 for a license renewal. The Office may also charge up to \$15 for initial application forms and materials; however, this fee would be credited against the application fee of the person who subsequently submits an application. The bill provides criteria by which the Office of the Attorney General may deny an applicant a bail enforcement agent license.

The bill also amends K.S.A. 22-2809a to include identical definitions for bail agent and bail enforcement agent as used in the new licensing process. SB 90 would require all out-of-state sureties' bail agents and bail enforcement agents to have a Kansas bail enforcement agent license or to be accompanied by authorized personnel when making an apprehension. Violations of these provisions would be a class A misdemeanor for the first offense and a severity level nine, nonperson felony for subsequent offenses.

The Office of the Attorney General states that the primary expense associated with this bill would be the processing and issuing of bail enforcement agent licenses. It is not known how many individuals would be required to be licensed or the additional workload that would be generated for the office. The agency estimates that an additional 0.50 to 1.00 FTE position could be required to handle the additional workload. Additional expenditures, including start-up and

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support costs, would range from \$32,387 to \$55,727 annually. Costs would drop by approximately \$4,000 to \$5,000 in the out-years after start-up costs were paid.

Revenues for SB 90 would come from the \$200 licensure fee and \$175 renewal fee. Optimally, the fees collected would offset the cost of operating the program. Any fiscal effect associated with SB 90 is not reflected in *The FY 2016 Governor's Budget Report*.

The Office of Judicial Administration notes that bill should not have a fiscal effect on the Judicial Branch. However, until the courts have had an opportunity to operate under the bill's provisions, a more precise statement of its fiscal effect cannot be determined.

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: Willie Prescott, Attorney General's Office
Mary Rinehart, Judiciary