

January 20, 2017

The Honorable Rick Wilborn, Chairperson  
Senate Committee on Judiciary  
Statehouse, Room 541-E  
Topeka, Kansas 66612

Dear Senator Wilborn:

**SUBJECT:** Fiscal Note for SB 3 by Legislative Post Audit Committee

In accordance with KSA 75-3715a, the following fiscal note concerning SB 3 is respectfully submitted to your committee.

Under current law, after a local law enforcement agency seizes property, the agency must submit a request for forfeiture to the county or district attorney within 45 days of the seizure. The county or district attorney has 14 days to accept the request. If the request is declined or goes unanswered, the local law enforcement agency could request that a state law enforcement agency adopt the forfeiture or engage an attorney, approved by the county or district attorney, to represent the agency in the forfeiture proceeding. SB 3 would prohibit a county or district attorney from representing a local law enforcement agency in a forfeiture proceeding as a private attorney. The bill would prohibit any law firm affiliated with a county or district attorney from representing the local law enforcement agency in a forfeiture proceeding.

The Kansas Association of Counties indicates that SB 3 would not have a fiscal effect on Kansas counties.

Sincerely,



Shawn Sullivan,  
Director of the Budget

cc: Ashley Michaelis, Judiciary  
Brock Ingmire, League of Municipalities  
Melissa Wangemann, Association of Counties  
Shelia Sawyer-Tyler, KBI  
Kim Torrey, Highway Patrol  
Willie Prescott, Attorney General's Office