

February 1, 2021

The Honorable Fred Patton, Chairperson  
House Committee on Judiciary  
Statehouse, Room 519C-N  
Topeka, Kansas 66612

Dear Representative Patton:

**SUBJECT:** Fiscal Note for HB 2095 by House Committee on Judiciary

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2095 is respectfully submitted to your committee.

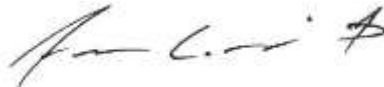
HB 2095 would amend current law by adding a provision allowing a court in a temporary care and treatment case to issue a temporary custody order to prohibit the person named in the order from possessing a firearm. If a prohibition is contained in the order, the court would direct the clerk of the district court to send a copy of the order to the Kansas Bureau of Investigation (KBI). The KBI would enter the order into the National Crime Information Center and other appropriate databases. The court would also be required to notify the person affected by the custody order of their right to petition the court to reinstate their right to possess a firearm.

The Office of Judicial Administration states enactment of HB 2095 could result in more time spent by court employees and judges processing and deciding these cases. According to the Office, a fiscal effect cannot be estimated.

The KBI states there could be a fiscal effect if the number of temporary orders required to be entered into state and federal databases increases, which might require additional personnel. The Office of the Attorney General states if there were legal challenges to the bill, they would likely be handled by the agency; however, if outside counsel was needed there would be additional expenditures. Any fiscal effect associated with HB 2095 is not reflected in *The FY 2022 Governor's Budget Report*.

The Kansas Association of Counties states there could be a fiscal effect to county budgets if litigation costs increase for those individuals under temporary orders.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam Proffitt", with a stylized flourish at the end.

Adam Proffitt  
Director of the Budget

cc: Debbie Thomas, Judiciary  
Willie Prescott, Office of the Attorney General  
Paul Weisgerber, KBI  
Jay Hall, Association of Counties