

February 8, 2021

The Honorable Kellie Warren, Chairperson
Senate Committee on Judiciary
Statehouse, Room 441B-E
Topeka, Kansas 66612

Dear Senator Warren:

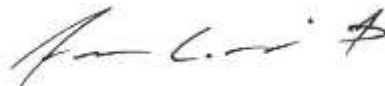
SUBJECT: Fiscal Note for SB 122 by Senate Committee on Judiciary

In accordance with KSA 75-3715a, the following fiscal note concerning SB 122 is respectfully submitted to your committee.

SB 122 would remove a judge's ability to make findings regarding business entries with conditions, that when met, allow for admission. The bill would change the authentication process to require the proponent to produce evidence to support a finding that an item is what the proponent claims it is and provides a list of self-authenticating items of evidence. SB 122 would require an original writing, recording, or photograph be produced, subject to exceptions found in statutes or rules. In a jury trial, the bill would place the obligation to make a finding regarding authenticity on the jury and not the judge.

The Office of Judicial Administration states enactment of the bill would have a negligible fiscal effect on the operations of the Judicial Branch.

Sincerely,



Adam Proffitt
Director of the Budget

cc: Debbie Thomas, Judiciary
Lynn Robinson, Department of Revenue
Sandy Tompkins, Office of the Secretary of State