

January 24, 2022

The Honorable Kellie Warren, Chairperson
Senate Committee on Judiciary
Statehouse, Room 346-S
Topeka, Kansas 66612

Dear Senator Warren:

SUBJECT: Fiscal Note for SB 321 by Joint Committee on Corrections and Juvenile Justice Oversight

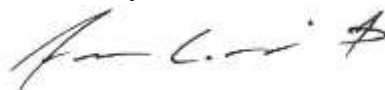
In accordance with KSA 75-3715a, the following fiscal note concerning SB 321 is respectfully submitted to your committee.

SB 321 would prohibit the use of restraints on a juvenile during court hearings and require restraints to be removed prior to a juvenile's appearance before the court. The bill would allow the use of restraints in certain circumstances if a court holds a hearing and makes a finding on the record that restraints are the least restrictive means available and are necessary. The bill would require the use of any restraints to properly account for the care, protection, and positive mental and physical development of the juvenile. The bill would also prohibit restraining a juvenile to a wall, the floor, another juvenile, or furniture during a hearing under any circumstances.

The Office of Judicial Administration indicates that enactment of SB 321 could increase expenditures because it would require an additional hearing and a specific court finding, which would increase the time spent by district court judicial and nonjudicial personnel in processing, researching, and hearing cases. However, a fiscal effect cannot be estimated.

The Department of Corrections and the Kansas Association of Counties indicate that enactment of the bill would have no fiscal effect. Any fiscal effect associated with SB 321 is not reflected in *The FY 2023 Governor's Budget Report*.

Sincerely,



Adam Proffitt
Director of the Budget

cc: Vicki Jacobsen, Judiciary
Jay Hall, Association of Counties
Randy Bowman, Corrections