

February 20, 2020

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

Dear Representative Patton:

SUBJECT: Fiscal Note for HB 2551 by House Committee on Judiciary

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2551 is respectfully submitted to your committee.

HB 2551 would allow a court to issue a temporary custody order prohibiting the possession of a firearm by a person who was the subject of a proceeding in which the court found there was probable cause that the person was mentally ill. If an order is issued, the court would transmit the order to the Kansas Bureau of Investigation (KBI). The KBI would enter the order into the National Criminal Information Center and other appropriate databases. The person named in an order could petition the court to have their rights to possess a firearm reinstated.

The Office of Judicial Administration estimates enactment of HB 2551 could have a fiscal effect on the Judicial Branch. The bill's provisions allow a person to file a petition to reinstate their rights to possess a firearm. The bill's provisions also require the district court clerks to print and mail a copy of the order to the KBI, which would 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 until the Judicial Branch has had an opportunity to operate under the bill's provisions.

The KBI indicates the agency receives involuntary commitment orders to be entered into the National Crime Information Center and other databases. The agency states there is no additional programming that would have to be done to complete the requirement for temporary custody orders. However, the agency cannot determine a fiscal effect because the KBI is unable to estimate how many temporary orders would be submitted statewide. Any fiscal effect associated with HB 2551 is not reflected in *The FY 2021 Governor's Budget Report*.

Sincerely,



Larry L. Campbell
Director of the Budget

cc: Paul Weisgerber, KBI
Jay Hall, Association of Counties
Mary Rinehart, Judiciary