

January 25, 2023

The Honorable Fred Patton, Chairperson
House Committee on Judiciary
300 SW 10th Avenue, Room 582-N
Topeka, Kansas 66612

Dear Representative Patton:

SUBJECT: Fiscal Note for HB 2074 by House Committee on Judiciary

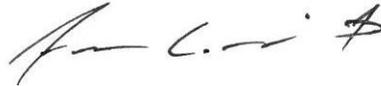
In accordance with KSA 75-3715a, the following fiscal note concerning HB 2074 is respectfully submitted to your committee.

HB 2074 would specify that for care and treatment action, a temporary custody order issued by a court may prohibit the person named in the order from possessing a firearm and would require the person to petition the court to reinstate their right to possess a firearm. If the court issues such an order, the court would be required to direct the clerk of the district court to send a copy of the order to the Kansas Bureau of Investigation (KBI) within five days after receipt of the order. The KBI would be required to enter the order into the National Instant Criminal Background Check System and other appropriate databases. The court would also be required to notify the person named of their right to petition the court to reinstate their right to possess a firearm.

The Office of Judicial Administration states enactment of the bill could have a fiscal effect on the operations of the Judicial Branch because there could be additional time spent by district court clerks notifying the KBI of any court orders that prohibit the possession of firearms. Additionally, the Office states if a person petitions the court, it would create additional work for judges and court employees processing and hearing cases. The Office indicates that until the Judicial Branch has had an opportunity to operate under the bill's provisions a fiscal effect cannot be estimated.

The KBI indicates a fiscal effect cannot be estimated because the agency is unable to estimate how many temporary custody orders would be sent to the KBI. Any fiscal effect associated with HB 2074 is not reflected in *The FY 2024 Governor's Budget Report*.

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: Paul Weisgerber, Kansas Bureau of Investigation
Vicki Jacobsen, Judiciary