

January 24, 2012

The Honorable Pat Colloton, Chairperson  
House Committee on Corrections and Juvenile Justice  
Statehouse, Room 167-W  
Topeka, Kansas 66612

Dear Representative Colloton:

**SUBJECT:** Fiscal Note for HB 2440 by House Committee on Corrections and Juvenile Justice

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2440 is respectfully submitted to your committee.

HB 2440 would create the new crimes of failing to report the disappearance of a child and failing to report the death of a child. Any parent, legal guardian or caretaker who fails to report the disappearance of a child under the age of 13 as soon as practically possible to a law enforcement officer or state investigative agency could be charged with failure to report the disappearance of a child. The crime would be a severity level eight nonperson felony.

Any law enforcement officer, health care provider, parent, legal guardian, caretaker, employee of and educational institution, or other person who fails to report a child's death could be charged with failure to report the death of a child. Failure to report the death of a child by a parent, legal guardian, or caretaker would be a severity level eight nonperson felony, while failure to report the death of a child by a teacher, school administrator, or employee of an educational institution would be a class B nonperson misdemeanor.

The Office of Judicial Administration suggests that courts could experience increases in the number of cases as a result of the new violations in HB 2440. However, it is not possible to predict the number of additional court cases that would arise or how complex and time-consuming they would be. Therefore, a precise fiscal effect on the court system cannot be determined. In any case, the fiscal effect would most likely be accommodated within the existing schedule of court cases and would not require additional resources.

The Juvenile Justice Authority estimates that any increase to the number of youth who enter the custody of the Authority because of the bill would likely be small; consequently, any resulting operating cost increases could be accommodated within existing resources. According

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to the Kansas Sentencing Commission, enactment of HB 2440 would not result in additional admissions to the adult prison system. Any fiscal effect associated with HB 2440 is not reflected in *The FY 2013 Governor's Budget Report*.

Sincerely,

A handwritten signature in black ink, appearing to read "Steven J. Anderson", with a long horizontal flourish extending to the right.

Steven J. Anderson, CPA, MBA  
Director of the Budget

cc: Mary Rinehart, Judiciary  
Jeremy Barclay, DOC  
Scott Schultz, Sentencing  
Jackie Aubert, SRS  
Marcy Watson, JJA