February 15, 2013

REVISED

The Honorable Mary Pilcher-Cook, Chairperson
Senate Committee on Public Health and Welfare
Statehouse, Room 441-E
Topeka, Kansas  66612

Dear Senator Pilcher-Cook:

SUBJECT: Revised Fiscal Note for SB 141 by Senator Pilcher-Cook, et al.

In accordance with KSA 75-3715a, the following revised fiscal note concerning SB 141 is respectfully submitted to your committee.

SB 141 would prohibit abortions that are performed solely on account of the sex of the unborn child. The woman, the father, or parents of the woman may seek relief in a civil action. A woman upon whom an abortion is performed would not be prosecuted under SB 141. A first conviction of a violation would be a class A person misdemeanor. A second or subsequent conviction would be a severity level ten, person felony.

According to the Office of Judicial Administration, SB 141 has the potential for increasing the number of cases related to abortions based on gender filed in district and appellate courts. This would increase the time spent by district court and appellate court judicial and non-judicial personnel in processing, researching, and hearing cases. Likewise, the additional cases could also result in the collection of added revenue from docket fees and penalties. 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 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.

Since the original fiscal effect statement was issued, the Kansas Sentencing Commission has provided information on the effect of SB 141. The Commission estimates that the bill would have no effect on prison bed capacity. This information was not available at the time the original
note was prepared. Any fiscal effect associated with SB 141 is not reflected in *The FY 2014 Governor’s Budget Report.*

Sincerely,

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

cc: Scott Schultz, Sentencing Commission
    Mary Rinehart, Judiciary
    Jeremy Barclay, KDOC