

January 21, 2014

The Honorable Jeff King, Chairperson  
Senate Committee on Judiciary  
Statehouse, Room 341-E  
Topeka, Kansas 66612

Dear Senator King:

SUBJECT: Fiscal Note for SB 256 by Senate Committee on Judiciary

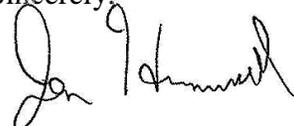
In accordance with KSA 75-3715a, the following fiscal note concerning SB 256 is respectfully submitted to your committee.

SB 256 would allow the Attorney General, for a fee, to represent the interest of the state in appeals from criminal actions in the district courts of the state to the Supreme Court or court of appeals or in other post-conviction actions. The Attorney General may publish a schedule of costs for services rendered. However, the Attorney General may enter into an agreement with any county or district attorney for payment and that agreement would supersede the schedule of costs. All money paid to the Attorney General would go to the new Criminal Appeals Cost Fund for the purpose of representing the interest of the state in criminal appeals and post-conviction proceedings.

The Attorney General's Office anticipates that it would need 1.00 Criminal Appeals Attorney FTE position (\$80,000 annually) to handle the county-generated appeals. Fees would be collected from the county and district attorneys in accordance with the fee schedule, which is to be established. The amount of revenue generated by fees cannot be determined at this time but it would be used to offset the cost of the additional attorney's salary. Any fiscal effect associated with SB 256 is not reflected in *The FY 2015 Governor's Budget Report*.

The bill could result in a net saving to county offices, which would otherwise have to pay for additional staff time in the county or district attorney's office or hire outside counsel to handle criminal appeals. The appeals could be handled by the Attorney General's Office at a lower cost due to efficiency.

Sincerely,



Jon Hummell,  
Interim Director of the Budget

cc: Willie Prescott, Attorney General's Office