

# STATE OF KANSAS



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GOVERNOR JEFF COLYER, M.D.  
LARRY L. CAMPBELL, CHIEF BUDGET OFFICER

February 23, 2018

The Honorable Blaine Finch, Chairperson  
House Committee on Judiciary  
Statehouse, Room 519-N  
Topeka, Kansas 66612

Dear Representative Finch:

**SUBJECT:** Fiscal Note for HB 2736 by House Committee on Judiciary

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2736 is respectfully submitted to your committee.

HB 2736 would grant immunity from criminal prosecution for unlawful possession of a controlled substance or unlawful possession of drug paraphernalia with intent to use to any person who contacts law enforcement or emergency medical services (EMS) and requests medical assistance because they reasonably believed that they or someone else was in need of medical assistance.

If calling on behalf of themselves, the person would be required to cooperate with any EMS personnel and law enforcement officers providing medical assistance. The bill would extend immunity to persons who contact law enforcement or EMS, or act in concert with a person who does the same, in order to request medical assistance for another individual who appears to require medical assistance. The persons involved would be required to remain at the scene with the individual until the arrival of EMS and law enforcement, cooperate fully with law enforcement and EMS, and provide the person's full name, the names of those acting in concert, and any other relevant information requested.

HB 2736 would prohibit a person from initiating or maintaining an action against law enforcement based on compliance or failure to comply with the bill's provisions. The bill's provisions would not apply during the execution of a warrant.

According to the Office of Judicial Administration, enactment of HB 2736 would have a negligible fiscal effect on the Judicial Branch.

The Honorable Blaine Finch, Chairperson

February 23, 2018

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The Kansas Sentencing Commission states enactment of HB 2736 could have a fiscal effect on prison admissions and bed space; however, the Commission cannot estimate an effect. Any fiscal effect associated with HB 2736 is not reflected in *The FY 2019 Governor's Budget Report*.

Sincerely,

A handwritten signature in black ink, appearing to read "L. Campbell", written in a cursive style.

Larry L. Campbell  
Chief Budget Officer

cc: Ashley Michaelis, Judiciary  
Chardae Caine, League of Municipalities  
Melissa Wangemann, Association of Counties  
Scott Schultz, Sentencing Commission