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February 14, 2018

The Honorable Rick Wilborn, Chairperson
Senate Committee on Judiciary
Statehouse, Room 541-E
Topeka, Kansas 66612

Dear Senator Wilborn:

SUBJECT: Fiscal Note for SB 378 by Senator Berger

In accordance with KSA 75-3715a, the following fiscal note concerning SB 378 is respectfully submitted to your committee.

SB 378 would create the crime of counterfeiting currency, with the intent to defraud. Counterfeiting currency would be making, forging or altering any note, obligation or security of the United States; distributing, or possessing with the intent to distribute, any obligation or security of the United States knowing such obligation or security has been so made, forged or altered; and possessing any paper, ink, printer, press, currency plate, or other item with the intent to produce any counterfeit note, currency, obligation, or security of the United States.

The bill would make counterfeiting currency seized with a total face value of \$25,000 or more a severity level seven, nonperson felony. If the total face value is less than \$25,000, a violation would be a severity level eight, nonperson felony. SB 378 would make it a crime to possess certain materials used to produce counterfeit currency, which would be a severity level nine, nonperson felony.

SB 378 has the potential for increasing litigation in the courts because of the new crimes created by the bill. If it does, the Office of Judicial Administration indicates that there would be a fiscal effect on the operations of the court system. However, it is not possible to estimate the number of additional court cases that would arise or how complex and time-consuming the cases would be. The fiscal effect would most likely be negligible and could be accommodated within existing budget resources.

The Honorable Rick Wilborn, Chairperson

February 14, 2018

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The Kansas Sentencing Commission states that enactment of SB 378 could have an effect on prison admissions and bed space; however, the Commission cannot estimate an effect.

Sincerely,

A handwritten signature in black ink, appearing to read "L. Campbell". The signature is fluid and cursive.

Larry L. Campbell
Chief Budget Officer

cc: Willie Prescott, Office of the Attorney General
Shelia Sawyer-Tyler, KBI
Linda Kelly, Corrections
Scott Schultz, Sentencing Commission
Ashley Michaelis, Judiciary