

March 20, 2020

The Honorable Fred Patton, Chairperson  
House Committee on Judiciary  
Statehouse, Room 519C-N  
Topeka, Kansas 66612

Dear Representative Patton:

**SUBJECT:** Fiscal Note for HB 2611 by Representative Cox, et al.

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2611 is respectfully submitted to your committee.

HB 2611 would allow certain criminal convictions and arrest records to be expunged automatically after an offender has met specific conditions. Expunged records would include violations for certain city ordinances; traffic infractions; cigarette or tobacco infractions; misdemeanors; Class D or E felonies; nongrid felonies and felonies ranked in severity level 6 through 10 on the nondrug grid committed on or after July 1, 1993; felonies ranked in severity level 4 of the drug grid committed on or after July 1, 1993, but prior to July 1, 2012; and felonies ranked in severity level 5 of the drug grid committed on or after July 1, 2012. The offender would be eligible for automatic expungement if three or more years have elapsed since the offender satisfied the sentence imposed or was discharged from probation, parole or a suspended sentence.

Certain statutory exceptions to rules permitting expungement would remain intact. The prosecutor would be required to file a petition to initiate an automatic expungement. The court would not be permitted to charge a docket fee for the automatic expungement. The court would be required to order the conviction and related arrest records expunged upon receipt of the petition.

The Office of Judicial Administration (OJA) estimates HB 2611 would increase Judicial Branch expenditures because it would substantially increase the workload of district court clerks and judges and possibly require an automated process for tracking expungements. Since the bill would prohibit docket fees for expungement petitions, OJA estimates the bill would also reduce revenues from docket fees to the Judicial Branch. However, OJA cannot provide an estimate for

the expenditures or reduction in revenues. Any fiscal effect associated with HB 2611 is not reflected in *The FY 2021 Governor's Budget Report*.

Sincerely,

A handwritten signature in black ink, appearing to read "L. L. Campbell". The signature is fluid and cursive, with the first name "L." and last name "Campbell" clearly visible.

Larry L. Campbell  
Director of the Budget

cc: Mary Rinehart, Judiciary