

February 12, 2019

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

Dear Senator Wilborn:

SUBJECT: Fiscal Note for SB 81 by Senate Committee on Judiciary

In accordance with KSA 75-3715a, the following fiscal note concerning SB 81 is respectfully submitted to your committee.

SB 81 would make it a felony for a driver to willfully fail or refuse to stop his or her vehicle or flee or attempt to elude a pursuing police vehicle or police bicycle while operating a stolen motor vehicle. The bill would require any terms of confinement imposed for violations of eluding a police officer to be served consecutively to any other term of confinement imposed for prior violations of eluding a police officer. SB 81 also would make theft of a vehicle with a value of less than \$1,500 a severity level 10, nonperson felony. Prosecution of theft of a vehicle, fleeing or attempting to elude a police officer would be *prima facie* evidence of intent to permanently deprive the owner of possession of the vehicle.

The Kansas Sentencing Commission estimates SB 81 would not have an immediate effect on prison admissions and bed space. The Commission notes the bill may have an effect on prison admissions and bed space if probations are revoked and offenders are sentenced to prison. The bill would also have a fiscal effect on the workload of the agency. However, the agency is unable to determine what the effect on admissions, bed space and workload would be.

The Office of Judicial Administration indicates the bill could increase the number of cases filed with the courts. Any additional cases would increase the workload of the courts by requiring judicial and nonjudicial personnel to spend more time processing, researching and hearing cases. The Office also states the bill could increase the amount of supervision required by court service officers of offenders on probation. Additional cases resulting from the bill would increase revenues to the Office from docket fees, supervision fees and fines. However, the Office is unable to estimate the fiscal effect on court expenditures and revenues because the number of violations or cases that would occur under the bill is unknown.

The Kansas Highway Patrol indicates the bill would have no fiscal effect on the agency. According to the League of Kansas Municipalities and the Kansas Association of Counties, SB 81 would have no fiscal effect on local law enforcement agencies. Any fiscal effect associated with SB 81 is not reflected in *The FY 2020 Governor's Budget Report*.

Sincerely,

A handwritten signature in cursive script that reads "L. L. Campbell". The signature is written in black ink and is positioned above the printed name and title.

Larry L. Campbell
Director of the Budget

cc: Janie Harris, Judiciary
Scott Schultz, Sentencing Commission
Linda Kelly, Corrections
Sherry Macke, Highway Patrol
Chardae Caine, League of Municipalities
Jay Hall, Association of Counties