

February 29, 2024

The Honorable Susan Humphries, Chairperson  
House Committee on Judiciary  
300 SW 10th Avenue, Room 582-N  
Topeka, Kansas 66612

Dear Representative Humphries:

**SUBJECT:** Fiscal Note for HB 2780 by House Committee on Judiciary

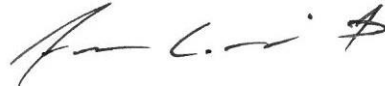
In accordance with KSA 75-3715a, the following fiscal note concerning HB 2780 is respectfully submitted to your committee.

HB 2780 would prohibit wrongfully convicted individuals from filing a claim against the State of Kansas if the person's conviction was reversed or vacated due to ineffective assistance of counsel or if the person's conduct contributed to the wrongful conviction. The bill would convert the annual compensation rates for imprisonment and supervision of wrongfully convicted individuals to daily compensation rates and establish compensation of \$110 per day for house arrest of a wrongly convicted person. It would also clarify that wrongfully convicted individuals can only receive compensation for days of imprisonment spent in the custody of the Secretary of Corrections or in jail awaiting post-trial transfer to the Department of Corrections. The bill would increase the maximum amount of attorney fees that can be paid to a wrongfully convicted claimant from \$25,000 to \$100,000. The bill would place a five-year limit on housing assistance paid to wrongfully convicted claimants and limits monthly housing payments to no more than \$2,000 per month with future housing payment increases tied to inflation. The bill includes definitions for housing assistance and counseling.

The Attorney General indicates that the bill would reduce State General Fund expenditures from the agency's Tort Claims Fund by an unknown amount due to the additional restrictions that would be placed on claim eligibility. The Judiciary indicates that the bill has the potential to decrease the number of cases filed in district courts. This may decrease agency operating expenditures due to the reduction of time spent by district court judicial and nonjudicial personnel in processing, researching, and hearing cases. However, the Judiciary is unable to calculate an exact estimate of this effect. The bill has the potential to decrease the collection of docket fees,

finer, and supervision fees, which are deposited in the State General Fund; however, the size of this reduction is unknown. The Department of Corrections indicates that the bill would have no fiscal effect on its operations. Any fiscal effect associated with HB 2780 is not reflected in *The FY 2025 Governor's Budget Report*.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam C. Proffitt" with a stylized flourish at the end.

Adam C. Proffitt  
Director of the Budget

cc: William Hendrix, Office of the Attorney General  
Trisha Morrow, Judiciary  
Jennifer King, Department of Corrections