

March 1, 2023

The Honorable Kellie Warren, Chairperson
Senate Committee on Judiciary
300 SW 10th Avenue, Room 346-S
Topeka, Kansas 66612

Dear Senator Warren:

SUBJECT: Fiscal Note for SB 242 by Senate Committee on Judiciary

In accordance with KSA 75-3715a, the following fiscal note concerning SB 242 is respectfully submitted to your committee.

SB 242 would enact the Cold Case Homicide Victims' Families' Rights Act. The bill would apply to any cold case homicide that occurred on and after January 1, 1970. No later than July 1, 2024, each state and local law enforcement agency head would be required to adopt a detailed, written policy and would be required to develop a written application to be used by a person to request a case file review. The agency head would review the case file to determine if a full reinvestigation would result in new investigative leads or a perpetrator. The bill details the process of the review. Starting July 1, 2026, the Kansas Bureau of Investigation would publish statistics on the number of cold case homicides.

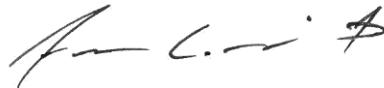
The Kansas Bureau of Investigation (KBI) indicates that there are 192 cold cases that could be eligible for application under the bill. The KBI currently does not have the resources to conduct the independent reviews or reinvestigations and would require 6.00 Special Agent FTE positions at a cost of \$1,010,229 from the State General Fund in FY 2024. This amount would finance salaries, wages, travel, vehicles, and items to equip the Agents.

The Office of the Attorney General states that the bill could generate additional cases that could be referred to its Criminal Litigation Division for possible acceptance and prosecution. If the Division is adequately staffed, any additional requests under the bill could be absorbed within the agency's existing budget.

The Kansas Highway Patrol and the Kansas Commission on Peace Officers' Standards and Training state the bill would not have a fiscal effect. Any fiscal effect associated with SB 242 is not reflected in *The FY 2024 Governor's Budget Report*.

The League of Kansas Municipalities and the Kansas Association of Counties indicate that the bill could increase costs to cities and counties because they would be required to assist with the implementation and enforcement of the provisions of the bill. However, an exact fiscal effect cannot be estimated because the number of additional cases and the amount of evidence to review is unknown.

Sincerely,

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

Adam Proffitt
Director of the Budget

cc: Paul Weisgerber, Kansas Bureau of Investigation
Sherry Macke, Highway Patrol
Wendi Stark, League of Kansas Municipalities
Jay Hall, Kansas Association of Counties
John Milburn, Office of the Attorney General
Doug Schroeder, Peace Officers Standards & Training