

February 14, 2011

The Honorable Pat Colloton, Chairperson
House Committee on Corrections and Juvenile Justice
Statehouse, Room 167-W
Topeka, Kansas 66612

Dear Representative Colloton:

SUBJECT: Fiscal Note for HB 2162 by House Committee on Judiciary

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2162 is respectfully submitted to your committee.

HB 2162 would prohibit the assessment of a docket fee or surcharge against a person filing a petition for expungement of certain arrest records. The bill would apply to a person who has had criminal charges dismissed because a court has found that there was no probable cause for the arrest, the petitioner was found not guilty in court proceedings, or the charges have been dismissed.

Under current law there is a \$100 docket fee and a \$15 surcharge for the expungement of an arrest record. Passage of HB 2162 would eliminate the revenues associated with expungement filings for criminal charges dismissed because a court has found that there was no probable cause for the arrest, the petitioner was found not guilty in court proceedings, or the charges have been dismissed. Because the number of those particular expungement filings is not currently known, a precise statement of the total decrease in docket fee and surcharge revenues cannot be determined. HB 2162 would have no fiscal effect on expenditures by the Judicial Branch.

Sincerely,



Steven J. Anderson, CPA, MBA
Director of the Budget

cc: Mary Rinehart, Judiciary