

February 25, 2011

The Honorable Tim Owens, Chairperson
Senate Committee on Judiciary
Statehouse, Room 559-S
Topeka, Kansas 66612

Dear Senator Owens:


SUBJECT: Fiscal Note for SB 175 by Senate Committee on Judiciary

In accordance with KSA 75-3715a, the following fiscal note concerning SB 175 is respectfully submitted to your committee.

SB 175 would require that a video recording be made of all custodial interrogations concerning off-grid felonies, nondrug severity level one through five felonies, or drug severity level one felony crimes, except as specified in the bill. In FY 2012, this recording requirement would apply to detention facilities that currently have this capability and in FY 2013 the requirement would be expanded to all detention facilities. If the video is not made, the defendant would be entitled to have the jury informed of the violation. Video recordings would be preserved until all appeals were exhausted.

The Judicial Branch notes that the passage of SB 175 would have the potential to create additional issues regarding custodial interrogations within the context of existing cases. However, it is estimated that passage of SB 175 would have a negligible fiscal effect on expenditures. The League of Kansas Municipalities and Attorney General concur that the effect would be negligible.

Sincerely,



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

cc: Mary Rinehart, Judiciary
Larry Baer, League of Municipalities
Megan Pinegar, Attorney General's Office
Jeremy Barclay, Corrections