

HOUSE BILL No. 2188

By Committee on Judiciary

2-7

1 AN ACT concerning legislative bills; relating to fiscal notes; amending
2 K.S.A. 74-9106 and 75-3715a and repealing the existing sections.

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4 *Be it enacted by the Legislature of the State of Kansas:*

5 Section 1. K.S.A. 74-9106 is hereby amended to read as follows: 74-
6 9106. When requested by the chairperson *or ranking minority member* of
7 a special or standing committee of the legislature *to which the bill has*
8 *been referred, or if a bill has been set for a hearing of such committee,* a
9 fiscal impact and correctional resource statement shall be provided for
10 ~~bill~~ *such bill* amending any current crime or creating a new crime under
11 the laws of the state of Kansas. The Kansas sentencing commission shall
12 provide to the committee or committees to which such bill was referred a
13 statement explaining the fiscal impact and effect on the utilization of
14 correctional resources of such bill. The fiscal impact and correctional
15 resources statement shall include a reliable estimate in dollars of the
16 anticipated expenditures and change in utilization of correctional
17 resources necessary to carry out the provisions of the bill. It shall also
18 include a statement as to the immediate effect and, if determinable or
19 reasonably foreseeable, the long-range effect of the measure. Every
20 agency and department of the state is directed to fully cooperate with the
21 commission in preparation of any such statement. No comment or
22 opinion shall be included in such statement regarding the merits of the
23 measure for which the statement is prepared.

24 Sec. 2. K.S.A. 75-3715a is hereby amended to read as follows: 75-
25 3715a. (a) *Except as provided in subsection (d),* fiscal notes shall be
26 provided for all bills increasing or decreasing state revenues or the
27 revenues of counties, cities and school districts, making state
28 appropriations or increasing or decreasing existing appropriations or the
29 fiscal liability of the state, or imposing functions or responsibilities on
30 counties, cities and school districts which will increase their expenditures
31 or fiscal liability. The director of the budget, or the director's designee,
32 shall consult with the League of Kansas municipalities, Kansas
33 association of counties and the Kansas association of school boards, as
34 appropriate, when preparing such fiscal notes. Not more than seven days
35 following the first reading of any such bill, the director of the budget
36 shall furnish to the committee or committees to which such bill was

1 referred a statement explaining the fiscal effect of such bill. Fiscal notes
2 are required for original bills only and not for amendments.

3 (b) The fiscal note, if possible, shall include a reliable estimate in
4 dollars of the anticipated change in revenue, expenditures, or fiscal
5 liability under the provisions of the bill. It also shall include a statement
6 as to the immediate effect and, if determinable or reasonably foreseeable,
7 the long-range effect of the measure. If, after careful investigation, it is
8 determined that no dollar estimate is possible, the note shall contain a
9 statement to that effect, setting forth the reasons why no dollar estimate
10 can be given. Every agency and department of the state is directed to
11 cooperate with the division of the budget in preparation of any fiscal note
12 provided for by this act when, and to the extent, requested by the director
13 of the budget.

14 (c) No comment or opinion shall be included in the fiscal note
15 regarding the merits of the measure for which the note is prepared.

16 (d) *No fiscal note is required for bills concerning the utilization of*
17 *correctional resources unless the Kansas sentencing commission is*
18 *required to provide such information pursuant to K.S.A. 74-9106, and*
19 *amendments thereto.*

20 Sec. 3. K.S.A. 74-9106 and 75-3715a are hereby repealed.

21 Sec. 4. This act shall take effect and be in force from and after its
22 publication in the statute book.