

March 16, 2021

The Honorable Larry Alley, Chairperson
Senate Committee on Federal and State Affairs
Statehouse, Room 136-E
Topeka, Kansas 66612

Dear Senator Alley:

SUBJECT: Fiscal Note for SB 293 by Senate Committee on Federal and State Affairs

In accordance with KSA 75-3715a, the following fiscal note concerning SB 293 is respectfully submitted to your committee.

SB 293 would create the Transparency in Revenues Underwriting Elections Act. This Act would establish restrictions regarding receiving or expending monies or any things of value by county election officers or the Secretary of State. The Act would not apply to monies collected by an election official from the payment of fees or assessed costs required by law. A violation of the Act would be a severity level 9, nonperson felony.

According to the Office of Judicial Administration (OJA), enactment of SB 293 could increase the number of cases filed in district courts because it creates a new crime. This, in turn, would increase the time spent by district court judicial and nonjudicial personnel in processing, researching, and hearing cases. Since this crime carries a severity level 9, nonperson felony penalty, there could also be more supervision of offenders required to be performed by court services officers. In addition, the enactment of the bill could result in the collection of additional docket fees, supervision fees and fines assessed in those cases filed under the provisions of the bill; however, a fiscal effect for the Judicial Branch cannot be estimated.

According to the Office of the Secretary of State, enactment of SB 293 would have no fiscal effect on the agency. Any fiscal effect associated with SB 293 is not reflected in *The FY 2022 Governor's Budget Report*.

The Kansas Association of Counties indicates that enactment of SB 293 could have a fiscal effect on counties. During the COVID-19 pandemic, elections officials received some funds to

help prepare polling sites for social distancing, as well as to provide personal protective equipment and sanitizing equipment. These funds were not included in the appropriated budget and, therefore, under the provisions of SB 293 could not have been received or expended by the counties.

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: Jay Hall, Association of Counties
Debbie Thomas, Judiciary
Sandy Tompkins, Office of the Secretary of State