

March 21, 2022

The Honorable Kellie Warren, Chairperson
Senate Committee on Judiciary
Statehouse, Room 346-S
Topeka, Kansas 66612

Dear Senator Warren:

SUBJECT: Fiscal Note for SB 416 by Senate Committee on Judiciary

In accordance with KSA 75-3715a, the following fiscal note concerning SB 416 is respectfully submitted to your committee.

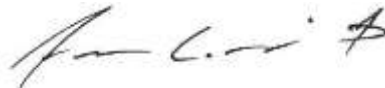
SB 416 would require law enforcement officers to conduct a lethality assessment when the officer determines a person is a victim of domestic violence. The officer who interviews the victim of domestic violence would be required to assess the potential for danger by asking a series of questions included on the lethality assessment form which would be outlined in the bill. Based upon the results of the assessment, the law enforcement agency would be required to make appropriate referrals to shelters, domestic violence intervention programs, and other social services for the victim. The bill would also require the lethality assessment to be provided to the appropriate prosecuting attorney and the appropriate court for the purposes of setting bond and other possible conditions of release.

The Office of Judicial Administration (OJA) indicates any fiscal effect on the expenditures of the Judicial Branch from the enactment of SB 416 would be negligible. OJA indicates additional costs from the provisions of the bill would include receiving lethality assessment forms and setting the bond and conditions of release. OJA indicates it could also incur costs to modify its case management system which is currently unable to store the forms and connect a form to a defendant if charges were filed. The fiscal effect cannot be estimated.

Additionally, OJA indicates the bill would increase expenditures for local government from the requirement for law enforcement officers to perform lethality assessments if an officer determines a person is a victim of domestic violence; and for law enforcement agencies to make appropriate referrals to shelters, domestic violence intervention programs, and other social services as well as providing lethality assessments to appropriate prosecuting attorneys and courts for

purposes of setting bond and other conditions of release. The Kansas Association of Counties indicates additional administrative costs would be required for officer training and procedural development necessary for additional service referrals, but the increase could be offset by a decrease in emergency responder costs if the questionnaire helps prevent further domestic violence incidents. The fiscal effect on expenditures by counties and cities cannot be estimated, as estimates would vary depending on the size of the police force and the frequency of domestic violence incidents. Any fiscal effect associated with SB 416 is not reflected in *The FY 2023 Governor's Budget Report*.

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: Vicki Jacobsen, Judiciary
Jay Hall, Association of Counties
Sherry Macke, Highway Patrol
Paul Weisgerber, KBI