

February 3, 2021

The Honorable Kellie Warren, Chairperson  
Senate Committee on Judiciary  
Statehouse, Room 441B-E  
Topeka, Kansas 66612

Dear Senator Warren:

**SUBJECT:** Fiscal Note for SB 75 by Senator Holland

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

Current law includes a list of individuals in certain professions who are required to report suspected harm from physical, mental, emotional abuse, neglect, or sexual abuse of a child. SB 75 would add duly ordained ministers of religion, as defined in statute, to be added to the list of mandated reporters. A duly ordained minister of religion who suspects abuse or neglect based on a penitential communication would not required to violate penitential privilege.

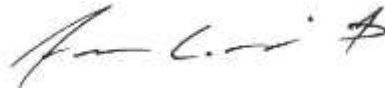
The Department for Children and Families (DCF) estimates that enactment of SB 75 would increase the volume of reports to the Kansas Protection Report Center by 2.0 percent annually, which would require additional staff. Currently, there are 92.00 FTE Protection Specialist positions in DCF. A 2.0 percent increase in staff would be approximately 2.00 FTE positions. Salary and benefit costs for 2.00 Protection Specialist FTE positions would be \$128,084 from the State General Fund for FY 2022.

DCF also indicates this proposed legislation would likely increase workload for DCF Child Investigative Staff. According to the Department, agency data shows that 57.0 percent of all reports are assigned for investigation. It is anticipated that many of these calls would be duplicates of other calls. However, DCF estimates an increase in investigations would not be significant and could be absorbed within current resources.

In addition, DCF indicates SB 75 does not address reporting requirements for this new category of mandatory reporter. As a result, the agency indicates the clergy reporter would be counted in the other mandated reporter grouping. However, if reporting clergy as a separate group is intended, DCF indicates systems updates would be necessary, creating additional costs. The costs of any systems updates cannot be estimated.

The Office of Judicial Administration indicates that SB 75 could increase the number of cases filed in district courts because it expands the list of mandatory reporters of suspected child abuse or neglect. This would increase the time spent by district court judicial and nonjudicial personnel in processing, researching, and hearing cases. Since the crime is a misdemeanor, there could also be more supervision of offenders required to be performed by Court Services Officers. The bill could also result in the collection of docket fees, supervision fees, and fines assessed in those cases filed under the provisions of the bill. However, it is not possible to estimate the number of additional court cases that would arise or how complex and time-consuming they would be. Therefore, a fiscal effect cannot be estimated. Any fiscal effect associated with SB 75 is not reflected in *The FY 2022 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: Kim Holter, Children & Families  
Debbie Thomas, Judiciary