

February 27, 2023

The Honorable Kellie Warren, Chairperson  
Senate Committee on Judiciary  
300 SW 10th Avenue, Room 346-S  
Topeka, Kansas 66612

Dear Senator Warren:

**SUBJECT:** Fiscal Note for SB 261 by Senate Committee on Federal and State Affairs

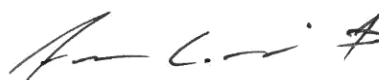
In accordance with KSA 75-3715a, the following fiscal note concerning SB 261 is respectfully submitted to your committee.

SB 261 would specify that if a citizen-initiated grand jury is not summoned because of a defect in the petition, the initiating person would have the right to appeal the decision to not summon a citizen-initiated grand jury as a final judgment. If a court decides an issue related to the procedures or management of a citizen-initiated grand jury that the initiating person alleges is contrary to the law, including, but not limited to, a decision to employ any special counsel or investigator prior to selection by majority vote of the grand jury after hearing testimony from the initiating person, the initiating person would have the right to appeal the decision as a final judgement upon completion of the grand jury's investigation. The bill would define "initiating person."

The Office of Judicial Administration states enactment of SB 261 would have a negligible fiscal effect on the operations of the Judicial Branch. The Office of the Attorney General is unable to estimate a fiscal effect resulting from the bill's enactment. Any fiscal effect associated with SB 261 is not reflected in *The FY 2024 Governor's Budget Report*.

The Kansas Association of Counties states the bill could have a fiscal effect on counties because the appeals process could extend the process of the citizen-initiated grand jury, which would increase costs for counties.

Sincerely,



Adam Proffitt  
Director of the Budget

cc: Jay Hall, Kansas Association of Counties  
John Milburn, Office of the Attorney General  
Vicki Jacobsen, Judiciary