

February 21, 2024

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 503 by Senate Committee on Federal and State Affairs

In accordance with KSA 75-3715a, the following fiscal note concerning SB 503 is respectfully submitted to your committee.

SB 503 would expand the definition of cruelty to animals to include the intentional and malicious abandonment of an animal without making provisions for the proper care of the animal. The penalty for this offense would be a non-grid, nonperson felony. Upon conviction of this offense, the offender would be subject to at least 30 days of imprisonment, a fine of \$500 to \$5,000, and a mandatory psychological evaluation. This expanded definition of cruelty to animals would be known as Bowie's Law.

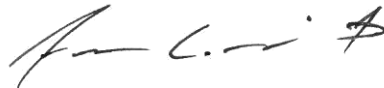
The Board of Indigents Defense Services indicates that the bill would increase agency expenditures on legal counsel and support staff by unknown amounts. The Board estimates that on average, a non-grid, nonperson felony case requires 35 hours of direct work by an attorney to provide constitutionally adequate representation. Based on the rates of \$83.36 per hour for public defenders and \$120 per hour for assigned counsel, each new non-grid, nonperson felony case brought to the agency would result in State General Fund expenditures of \$2,918 to \$4,200.

The Judiciary indicates that the bill has the potential to increase the number of cases filed in district courts. This may increase agency operating expenditures due to the additional time spent by district court judicial and nonjudicial personnel in processing, researching, and hearing cases. However, the Judiciary is unable to calculate an exact estimate of this effect. The bill has the potential to increase the collection of docket fees, fines, and supervision fees, which are deposited in the State General Fund; however, the amount of additional collections is unknown.

The Sentencing Commission indicates that the bill has the potential to increase agency workload; however, incarceration for non-grid felony offenses occurs in county jails. Therefore, the bill would not increase prison admissions, or the number of beds needed at state correctional facilities. The Department of Corrections indicates that the bill would have no fiscal effect on its operations. Any fiscal effect associated with SB 503 is not reflected in *The FY 2025 Governor's Budget Report*.

The Kansas Association of Counties indicates that the bill has the potential to increase the number of people held in county jails, which would increase county government expenditures on incarceration. However, an exact estimate of this effect cannot be provided.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam C. Proffitt", with a stylized flourish at the end.

Adam C. Proffitt
Director of the Budget

cc: Trisha Morrow, Judiciary
Jennifer King, Department of Corrections
Heather Cessna, Board of Indigents Defense Services
Scott Schultz, Kansas Sentencing Commission
Jay Hall, Kansas Association of Counties