

February 15, 2012

The Honorable Tim Owens, Chairperson
Senate Committee on Judiciary
Statehouse, Room 559-S
Topeka, Kansas 66612

Dear Senator Owens:

SUBJECT: Fiscal Note for SB 425 by Senate Committee on Judiciary

In accordance with KSA 75-3715a, the following fiscal note concerning SB 425 is respectfully submitted to your committee.

SB 425 would authorize the imposition of a charge to fund the cost of establishing, operating and maintaining an electronic document filing, storage, and management system for the Kansas court system. The bill provides that a fee could be charged for electronic case filing, motion filing, record access, and document access. These fees would be remitted to the State Treasurer who would deposit the entire amount into the Judiciary Technology Fund. The bill stipulates that the monies credited to the Judiciary Technology Fund could not be used for compensation of justices or judges of the Supreme Court and expands the currently existing statutory purposes for the Fund to include establishing, operating and maintaining a statewide system of electronic case filing, record access, and document access.

SB 425 would delete language in existing law that prohibits charging a fee for providing electronic access to district court records and contains a number of reconciling provisions to address amendments concerning expungements made by the 2011 Legislature. The bill would also remove a sunset provision from a law concerning the court's responsibility to notify the Division of Vehicles of the compliance of drivers with restricted driving privileges with the terms of their traffic citations. In addition, the bill would make language regarding the poverty affidavit and language regarding lien fees in existing laws the same as that in other statutory provisions which establish the amount of the docket fee.

According to the Office of Judicial Administration, passage of SB 425 would have no fiscal effect on expenditures. Currently the Judicial Branch has funding to implement e-filing in only three pilot courts. The intention is to implement e-filing statewide, and any potential revenue which would be derived from e-filing is dependent on funding currently being requested

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from the Legislature to establish the statewide system. Passage of SB 425 would be necessary in order for e-filing fees to be assessed. According to the Kansas Department of Revenue, passage of SB 425 would have no fiscal effect on state highway funds.

Sincerely,

A handwritten signature in black ink, appearing to read "Steven J. Anderson", with a long horizontal flourish extending to the right.

Steven J. Anderson, CPA, MBA
Director of the Budget

cc: Mary Rinehart, Judiciary