

STATE OF KANSAS

DIVISION OF THE BUDGET
LONDON STATE OFFICE BUILDING
900 SW JACKSON STREET, ROOM 504
TOPEKA, KS 66612



PHONE: (785) 296-2436
FAX: (785) 296-0231
LARRY.CAMPBELL@KS.GOV

GOVERNOR JEFF COLYER, M.D.
LARRY L. CAMPBELL, CHIEF BUDGET OFFICER

February 13, 2018

The Honorable Rick Wilborn, Chairperson
Senate Committee on Judiciary
Statehouse, Room 541-E
Topeka, Kansas 66612

Dear Senator Wilborn:

SUBJECT: Fiscal Note for SB 409 by Senator Pettey

In accordance with KSA 75-3715a, the following fiscal note concerning SB 409 is respectfully submitted to your committee.

SB 409 would create new procedures for discussing deliberations and verdicts with jurors after a criminal or civil jury trial. The bill would require courts to provide notice to jurors that they have a right to discuss deliberations and verdicts with parties in the case, including attorneys. For discussions occurring 24 hours or more after delivery of the verdict, the parties would be required to inform jurors of the case they plan to discuss, the party's role in the matter, the jurors right to discuss or not to discuss deliberations and verdicts, and the jurors right to review and copy any declaration filed with the court. Any unreasonable contact with a juror by a defendant, the defendant's attorney, or the prosecutor, without the juror's consent would be reported to the court.

According to the Office of Judicial Administration, enactment of SB 409 could affect the number of appeals filed. Also, there could be a fiscal effect on the district courts because the jurors would have the right to any copy of a declaration filed with the court. Any fiscal effect associated with SB 409 is not reflected in *The FY 2019 Governor's Budget Report*.

Sincerely,

A handwritten signature in black ink that reads "L. Campbell".

Larry L. Campbell
Chief Budget Officer

cc: Ashley Michaelis, Judiciary