

Bill Number: SB 73	Assigned Committee:
FN Due Date:	
Hearing Scheduled?	Date of Hearing:
Version of the bill: Introduced	DOB Analyst: Cindy Denton
Responding Agency: State Board of Indigents' Defense Services	
Prepared by: Patricia A. Scalia	

Fiscal Impact	Yes	No
State (Would this bill have a fiscal effect on your agency?)	X	
Local (Would this bill have a fiscal effect on local governments?)		
Tax Revenue (Would this bill affect State General Fund revenues?)		
Fee or Other Revenue (Would this bill affect revenues to other state funds?)		

	FY 2011	FY 2012	FY 2013
<b>Expenditures</b>			
State General Fund	\$25,000	\$25,000	\$25,000
Fee Fund(s)	\$25,000	\$25,000	\$25,000
Federal Fund			
<b>Total Expenditures</b>			
<b>Revenues</b>			
State General Fund			
Fee Fund(s)			
Federal Fund			
<b>Total Revenues</b>			
<b>FTE Positions</b>			

**Bill Description**

*Briefly describe what the legislation does. Describe the change(s) from current law that would drive an increase or decrease in expenditures or revenues. If federal funds are affected by the bill in some way, explain that relationship as well. Note any technical or mechanical defects with the bill (bill drafting errors only, do not include commentary as to whether the bill should be enacted or not).*

This bill would require inspection of pornographic materials at a crime lab or other location under the control of law enforcement.

**Assumptions for Fiscal Effect Estimate**

**Expenditures:** *Detail the assumptions made in preparing the cost estimate. Describe agency expenditures that would become necessary with passage of the bill and how workload assumptions translate into the cost estimates. The estimate for any new position should be detailed to show the salary, benefits and associated other operating costs (such as a computer or other equipment). Distinguish between one-time and ongoing costs.*

**Revenues:** *Describe the assumptions and methods used in estimating the bill's effect on revenues. Detail the source of the revenue—is it a tax, agency earning, fee income or a federal reimbursement—and the fund that would receive the revenue. Distinguish between one-time and ongoing revenue changes estimated to result from passage of the bill.*

There are about 5 cases involving this type of material to be reviewed for purposes of the defense each year. Computer forensics experts must be hired to review the materials. There is only one qualified computer forensics expert in the State of Kansas available for the defense. That one expert will examine materials in his lab but will not travel to a crime labor or other locations to conduct his work. If the materials are to be kept in a location under the control of law enforcement, out-of-state experts must be hired and their travel must be paid. Additionally, it takes a great many hours to examine computer files and to determine whether they were requested or received by “spam”, to date and time verify them and to verify whether third persons could have accessed these materials rather than the defendant. The cost for this service will be \$10,000 per case.

BIDS pays for expert services from its fee fund. However, that fee fund provides only about half of the cost of experts per year. Accordingly, the cost is divided for purposes of this fiscal note between the fee fund and SGF.

**Long-Term Fiscal Considerations**

*If the bill affects future years, beyond those shown in the table above, explain the long-term fiscal effect—are the revenues stable over the long term or would there be a phase-in of costs or revenues; if the bill ends at a specific future date, indicate this as well.*

**Local Government Fiscal Effect**

*If the bill affects local governments, identify which local governments would be affected (e.g., cities, counties, school districts, water districts, etc.). Describe the bill's fiscal effect to the local governments.*

**References/Sources**

*If there are supporting documents or spreadsheets explaining calculations or assumptions, please attach them.*

