

## Senate Subcommittee Report

**Agency:** Kansas Department of Corrections

**Bill No.** SB 155

**Bill Sec.** 74

**Analyst:** Morrow

**Analysis Pg. No.** Vol. II, p. 1315

**Budget Page No.** 368

Expenditure Summary	Agency Request FY 2024	Governor Recommendation FY 2024	Senate Subcommittee Adjustments
<b>Operating Expenditures:</b>			
State General Fund	\$ 518,999,632	\$ 518,162,401	\$ 0
Federal Funds	3,573,645	3,573,645	0
Other Funds	30,352,975	26,458,325	0
<i>Subtotal</i>	\$ 552,926,252	\$ 548,194,371	\$ 0
<b>Capital Improvements:</b>			
State General Fund	\$ 141,533,014	\$ 13,048,951	\$ 0
Federal Funds	0	0	0
Other Funds	12,726,459	7,462,602	0
<i>Subtotal</i>	\$ 154,259,473	\$ 20,511,553	\$ 0
<b>TOTAL</b>	<b>\$ 707,185,725</b>	<b>\$ 568,705,924</b>	<b>\$ 0</b>
FTE positions	3,511.4	3,463.4	0.0

### Agency Request

The **agency** requests \$707.2 million, including \$660.5 million SGF, in expenditures and 3,506.4 FTE positions for FY 2024. This is an increase of \$162.1 million, or 29.7 percent, above the FY 2023 approved amount. The increase is primarily in capital improvement enhancements of \$137.4 million and additional operating enhancements of \$24.6 million. There is a partially offsetting decrease of \$11.2 million in capital outlay.

The request for FTE positions is an increase of 64.0 FTE positions above the FY 2023 amount, partially due to the enhancement requests.

### Governor's Recommendation

The **Governor** recommends \$568.7 million, including \$531.2 million SGF, for expenditures for FY 2024. This is an all funds decrease of \$138.5 million, or 19.6 percent, and an SGF decrease of \$129.3 million, or 19.6 percent, below the agency request. The decrease is primarily due to the Governor not recommending the majority of the enhancements the agencies requested for FY 2024.

### **Joint Committee on State Building Construction Recommendation**

The **Joint Committee on State Building Construction** concurs with the Governor's recommendation with the following notation:

1. The Committee believes the amount the agency receives from the Correctional Institutions Building Fund (CIBF) should be increased based on the number, age, and condition of the facilities the Department of Corrections agency must maintain. The Committee would like the House Committee on Appropriations and Senate Committee on Ways and Means to consider increasing the cap on the total amount of distributions for the EDIF, CIBF, Problem Gambling and Addictions Grant Fund, and the Juvenile Alternatives to Detention Fund from \$50.0 million to \$60.0 million. If the percentage to the EDIF were lowered to 75.0 percent, the CIBF increased to 20.0 percent, and the distribution to the other two funds stay the same, the CIBF would be increased by approximately \$7.0 million, while the other distributions would increase slightly.

### **Senate Subcommittee on Corrections and Public Safety Recommendation**

The **Senate Subcommittee** concurs with the Governor's recommendation with the following notations:

1. The Committee recommends the Lansing Correctional Facility not be razed until FY 2025 and the agency be allowed to use the funds for other capital improvement priorities for FY 2024.
2. The Committee does not recommend \$9.6 million in expenditures for the adult corrections officers to be moved to the Kansas Police & Firefighters retirement plan for FY 2024, until such time as a bill is passed by the legislature.

### **Senate Committee on Ways and Means Recommendation**

The **Committee** concurs with the Subcommittee's recommendation with the following notation:

1. The Committee will review the expenditures for the adult corrections officers to be moved to the Kansas Police & Firefighters retirement plan for FY 2024 at Omnibus.
2. Delete the \$9.9 million SGF that was to be used for the demolition of the LCF and transfer the funds to the Department of Corrections budget to be expended on other priority capital improvement projects for FY 2024.

### **Senate Committee of the Whole Recommendation**

The **Committee of the Whole** concurs with the Committee's recommendation with the following adjustment:

1. Delete \$1.8 million SGF of the \$9.9 million that was moved to the Department of Corrections and is to be used for priority capital improvement projects for FY 2024.
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## House Budget Committee Report

**Agency:** Kansas Department of Corrections

**Bill No.** HB 2273

**Bill Sec.** 74

**Analyst:** Morrow

**Analysis Pg. No.** Vol. II, p. 1315

**Budget Page No.** 368

Expenditure Summary	Agency Request FY 2024	Governor Recommendation* FY 2024	House Budget Committee Adjustments
<b>Operating Expenditures:</b>			
State General Fund	\$ 518,999,632	\$ 518,162,401	\$ (18,070,293)
Federal Funds	3,573,645	3,573,645	0
Other Funds	30,352,975	26,458,325	0
<i>Subtotal</i>	<u>\$ 552,926,252</u>	<u>\$ 548,194,371</u>	<u>\$ (18,070,293)</u>
<b>Capital Improvements:</b>			
State General Fund	\$ 141,533,014	\$ 13,048,951	\$ 0
Federal Funds	0	0	0
Other Funds	12,726,459	7,462,602	0
<i>Subtotal</i>	<u>\$ 154,259,473</u>	<u>\$ 20,511,553</u>	<u>\$ 0</u>
<b>TOTAL</b>	<u><b>\$ 707,185,725</b></u>	<u><b>\$ 568,705,924</b></u>	<u><b>\$ (18,070,293)</b></u>
 FTE positions	 3,511.4	 3,463.4	 0.0

### Agency Request

The **agency** requests \$707.2 million, including \$660.5 million SGF, in expenditures and 3,506.4 FTE positions for FY 2024. This is an increase of \$162.1 million, or 29.7 percent, above the FY 2023 approved amount. The increase is primarily in capital improvement enhancements of \$137.4 million and additional operating enhancements of \$24.6 million. There is a partially offsetting decrease of \$11.2 million in capital outlay.

The request for FTE positions is an increase of 64.0 FTE positions above the FY 2023 amount, partially due to the enhancement requests.

### Governor's Recommendation

The **Governor** recommends \$568.7 million, including \$531.2 million SGF, for expenditures for FY 2024. This is an all funds decrease of \$138.5 million, or 19.6 percent, and an SGF decrease of \$129.3 million, or 19.6 percent, below the agency request. The decrease is primarily due to the Governor not recommending the majority of the enhancements the agencies requested for FY 2024.

### **Joint Committee on State Building Construction Recommendation**

The **Joint Committee on State Building Construction** concurs with the Governor's recommendation with the following notation:

1. The Committee believes the amount the agency receives from the Correctional Institutions Building Fund (CIBF) should be increased based on the number, age, and condition of the facilities the Department of Corrections agency must maintain. The Committee would like the House Committee on Appropriations and Senate Committee on Ways and Means to consider increasing the cap on the total amount of distributions for the EDIF, CIBF, Problem Gambling and Addictions Grant Fund, and the Juvenile Alternatives to Detention Fund from \$50.0 million to \$60.0 million. If the percentage to the EDIF were lowered to 75.0 percent, the CIBF increased to 20.0 percent, and the distribution to the other two funds stay the same, the CIBF would be increased by approximately \$7.0 million, while the other distributions would increase slightly.

### **House Transportation and Public Safety Budget Committee Recommendation**

The **Budget Committee** concurs with the Governor's recommendation with the following adjustments:

1. Add language allowing funding appropriated to the community corrections account be expended for hiring additional employees as may be necessary for such county's community corrections program for FY 2024.
2. Delete \$9.9 million SGF from the LCF for capital improvements to raze the old maximum security facility for FY 2024 and stay the demolition for one year.
3. Delete \$9.6 million SGF from the Department of Corrections to move adult corrections officers to the Kansas Police & Firefighter (KP&F) retirement plan for FY 2024.
4. Add \$1.4 million SGF to the Department of Corrections for the pathways to purpose pilot program for FY 2024. The funds are to be expended over three years.
5. Add language for the Pathways to Purpose Pilot Program to reappropriate unspent SGF from FY 2024 to FY 2025.
6. Add language that the Department of Corrections will provide a report to the Kansas Legislature on or before June 30, 2026 on the results of the Pathways to Purpose three year pilot program for FY 2026. The report shall include: 1) the number and location of pilot program sites; 2) number of pilot program participants; 3) identification of the specific prescription digital therapeutics prescribed; 4) an explanation of whether and how the prescription digital therapeutics improved the participants access to treatment; 5) a review of participant satisfaction with the prescription digital therapeutics; 6) the impact of the pilot program on issues related to health outcomes and hospitalization; 7) the successes and challenges of the pilot program; 8) any recommendations for future coverage of the prescription digital therapeutics; and 9) any other information the agency deems relevant in examining the effectiveness of the use of the prescription digital therapeutics.

### **House Committee Recommendation**

The **Committee** concurs with the Budget Committee's recommendation for FY 2024.

## **House Committee of the Whole Recommendation**

The **Committee of the Whole** concurs with the Committee's recommendation for FY 2024.

## **Conference Committee Recommendation (HB 2184)**

The **Conference Committee** concurs with the Governor's recommendation with the following adjustments:

1. Delete \$9.9 million SGF from the LCF for capital improvements to raze the old maximum security facility for FY 2024 and stay the demolition for one year.
2. Add \$4.0 million SGF for the Department of Corrections to use on priority capital improvement projects for FY 2024.
3. Delete \$9.6 million SGF from the Department of Corrections to move adult corrections officers to the Kansas Police & Firefighter (KP&F) retirement plan for FY 2024.
4. Add \$1.4 million SGF to the Department of Corrections for the pathways to purpose pilot program for FY 2024. The funds are to be expended over year years.
5. Add language for the Pathways to Purpose Pilot Program to reappropriate unspent SGF from FY 2024 to FY 2025.
6. Add language that the Department of Corrections will provide a report to the Kansas Legislature on or before June 30, 2026 on the results of the Pathways to Purpose three year pilot program for FY 2026. The report shall include: 1) the number and location of pilot program sites; 2) number of pilot program participants; 3) identification of the specific prescription digital therapeutics prescribed; 4) an explanation of whether and how the prescription digital therapeutics improved the participants access to treatment; 5) a review of participant satisfaction with the prescription digital therapeutics; 6) the impact of the pilot program on issues related to health outcomes and hospitalization; 7) the successes and challenges of the pilot program; 8) any recommendations for future coverage of the prescription digital therapeutics; and 9) any other information the agency deems relevant in examining the effectiveness of the use of the prescription digital therapeutics.

## **Governor's Veto**

1. Adopt Governor's Veto No. 1, Item 13, and delete \$1.4 million SGF for the Pathways to Purpose pilot program for FY 2024. This was a pilot program to support substance abuse treatment programs at the correctional facilities. According to the veto message, the language of the amendment was written with strict requirements that would likely favor a single vendor.

## **Omnibus Action (SB 25)**

### ***Department of Corrections***

1. Adopt GBA No. 1, Item 13, and add \$1.1 million and 12.5 FTE positions to the Department of Corrections for improvement of the mail handling process at the facilities for FY 2024. State Finance Council

***Department of Corrections***

1. Add \$2.3 million, including \$2.2 million SGF, for a salary adjustment for most state employees based on the Department of Administration Market Survey, and an additional 5.0 percent salary adjustment for FY 2024.

***Kansas Correctional Industries***

1. Add \$168,489, all from special revenue funds, for a salary adjustment for most state employees based on the Department of Administration Market Survey, and an additional 5.0 percent salary adjustment for FY 2024.

***El Dorado Correctional Facility***

1. Add \$2.0 million SGF, for a salary adjustment for most state employees based on the Department of Administration Market Survey, and an additional 5.0 percent salary adjustment for FY 2024.

***Ellsworth Correctional Facility***

1. Add \$1.0 million SGF, for a salary adjustment for most state employees based on the Department of Administration Market Survey, and an additional 5.0 percent salary adjustment for FY 2024.

***Hutchinson Correctional Facility***

1. Add \$2.2 million, including \$2.2 million SGF, for a salary adjustment for most state employees based on the Department of Administration Market Survey, and an additional 5.0 percent salary adjustment for FY 2024.

***Kansas Juvenile Correctional Complex***

1. Add \$964,411 SGF, for a salary adjustment for most state employees based on the Department of Administration Market Survey, and an additional 5.0 percent salary adjustment for FY 2024.

***Lansing Correctional Facility***

1. Add \$1.8 million SGF, for a salary adjustment for most state employees based on the Department of Administration Market Survey, and an additional 5.0 percent salary adjustment for FY 2024.

***Larned State Correctional Facility***

1. Add \$796,398 SGF, for a salary adjustment for most state employees based on the Department of Administration Market Survey, and an additional 5.0 percent salary adjustment for FY 2024.

***Norton Correctional Facility***

1. Add \$1.1 million, including \$1.0 million SGF, for a salary adjustment for most state employees based on the Department of Administration Market Survey, and an additional 5.0 percent salary adjustment for FY 2024.

***Topeka Correctional Facility***

1. Add \$1.2 million, including \$1.2 million SGF, for a salary adjustment for most state employees based on the Department of Administration Market Survey, and an additional 5.0 percent salary adjustment for FY 2024.

***Winfield Correctional Facility***

1. Add \$1.2 million, including \$1.2 million SGF, for a salary adjustment for most state employees based on the Department of Administration Market Survey, and an additional 5.0 percent salary adjustment for FY 2024.

	Governor's Recommendation* FY 2024	Legislative Action Mega Bill	Legislative Approved FY 2024	Legislative Action Omnibus Bill	Final Legislative Approved FY 2024
<b>All Funds</b>					
State Operations	\$ 461,656,268	\$ (8,200,000)	\$ 453,456,268	\$ 14,745,891	\$ 468,202,159
Aid to Local Units	80,060,621	0	80,060,621	0	80,060,621
Other Assistance	6,201,595	0	6,201,595	0	6,201,595
<i>Subtotal - Operations</i>	<i>\$ 547,918,484</i>	<i>\$ (8,200,000)</i>	<i>\$ 539,718,484</i>	<i>\$ 14,745,891</i>	<i>\$ 554,464,375</i>
Capital Improvements	20,511,553	(5,870,293)	14,641,260	0	14,641,260
<b>TOTAL</b>	<b>\$ 568,430,037</b>	<b>\$ (14,070,293)</b>	<b>\$ 554,359,744</b>	<b>\$ 14,745,891</b>	<b>\$ 569,105,635</b>

**State General Fund**

State Operations	\$ 437,210,008	\$ (8,200,000)	\$ 429,010,008	\$ 14,338,027	\$ 443,348,035
Aid to Local Units	75,865,631	0	75,865,631	0	75,865,631
Other Assistance	4,810,875	0	4,810,875	0	4,810,875
<i>Subtotal - Operating</i>	<i>\$ 517,886,514</i>	<i>\$ (8,200,000)</i>	<i>\$ 509,686,514</i>	<i>\$ 14,338,027</i>	<i>\$ 524,024,541</i>
Capital Improvements	13,048,951	(5,870,293)	7,178,658	0	7,178,658
<b>TOTAL</b>	<b>\$ 530,935,465</b>	<b>\$ (14,070,293)</b>	<b>\$ 516,865,172</b>	<b>\$ 14,338,027</b>	<b>\$ 531,203,199</b>

FTE Positions 3,475.9 0.0 3,475.9 0.0 3,475.9

\* GBA No. 1, Item 13 added \$1.1 million SGF and 12.5 FTE positions for improvement of the mail handling process at the facilities for FY 2024. The Governor vetoed \$1.4 million SGF for the newly created Pathways to Purpose pilot program for FY 2024.