

March 18, 2014

The Honorable John Rubin, Chairperson
House Committee on Corrections and Juvenile Justice
Statehouse, Room 151-S
Topeka, Kansas 66612

Dear Representative Rubin:

SUBJECT: Fiscal Note for HB 2699 by House Committee on Corrections and Juvenile Justice

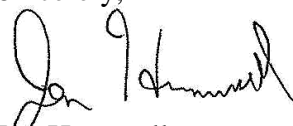
In accordance with KSA 75-3715a, the following fiscal note concerning HB 2699 is respectfully submitted to your committee.

HB 2699 would create exemptions for corporal punishment under the crimes of battery, domestic battery, endangering a child, and abuse of a child. The exemptions would apply to parents, step-parents, legal guardians or custodians using corporal punishment to maintain parental authority and to discipline a child or a person over the age of 18 who is enrolled in high school. They would also apply to a person who has written authority from a parent to use corporal punishment including, but not limited to, a person acting as a parent or school personnel.

The Office of Judicial Administration indicates that HB 2699 could require courts to spend additional time determining whether corporal punishment was applied consistent with the terms defined in the bill. It is likely that these determinations would be made within battery, domestic battery, endangering a child, or abuse of a child cases that otherwise would have been filed or within a child in need of care case. This would increase the time spent by district and appellate court judicial and non-judicial personnel to process, research, and hear cases. However, it is not possible to predict the number of additional court cases or appeals that would arise or how complex and time-consuming they would be. Therefore, a precise fiscal effect cannot be determined.

According to the Kansas Sentencing Commission, HB 2699 would have no effect on prison bed space. Any fiscal effect associated with HB 2699 is not reflected in *The FY 2015 Governor's Budget Report*.

Sincerely,



Jon Hummell,
Interim Director of the Budget

cc: Mary Rinehart, Judiciary
Scott Schultz, Sentencing Commission
Jeremy Barclay, KDOC