

# STATE OF KANSAS

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

March 13, 2018

The Honorable John Barker, Chairperson  
House Committee on Federal and State Affairs  
Statehouse, Room 285-N  
Topeka, Kansas 66612

Dear Representative Barker:

**SUBJECT:** Fiscal Note for HB 2760 by House Committee on Federal and State Affairs

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2760 is respectfully submitted to your committee.

HB 2760 would amend sentencing guidelines for criminal possession of a firearm by a convicted felon. The court would be required to impose presumptive imprisonment if it finds beyond a reasonable doubt that the offender possessed a firearm. The bill specifies that in this case, the sentence would not be considered a departure and would not be subject to appeal.

The Office of Judicial Administration indicates enactment of HB 2760 would have a negligible fiscal effect upon the Judicial Branch.

The Kansas Sentencing Commission estimates that enactment of HB 2760 would result in an increase of 71 adult prison beds needed in FY 2019, if 60.0 percent of the offenders convicted of the crime of criminal possession of a weapon were sentenced to prison under the new special rule. If 70.0 percent of the offenders convicted of the crime of criminal possession of a weapon were sentenced to prison under the new special rule, 84 additional adult prison beds would be needed in FY 2019. If 80.0 percent of the offenders convicted of the crime of criminal possession of a weapon were sentenced to prison under the new special rule, 94 additional adult prison beds would be needed in FY 2019. By FY 2028, an additional 84, 96, or 109 beds would be needed. The Department of Corrections states enactment of HB 2760 would result in additional expenditures of \$1.8 million, \$2.1 million, or \$2.4 million in FY 2019 for additional prison beds,

The Honorable John Barker, Chairperson

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depending on which scenario plays out. Any fiscal effect associated with HB 2760 is not reflected in *The FY 2019 Governor's Budget Report*.

Sincerely,

A handwritten signature in black ink, appearing to read "L. Campbell". The signature is fluid and cursive, with a large initial "L" and a long, sweeping underline.

Larry L. Campbell  
Chief Budget Officer

cc: Ashley Michaelis, Judiciary  
Melissa Wangemann, Association of Counties  
Scott Schultz, Sentencing Commission  
Linda Kelly, Corrections