

February 1, 2021

The Honorable Russell Jennings, Chairperson
House Committee on Corrections and Juvenile Justice
Statehouse, Room 151B-S
Topeka, Kansas 66612

Dear Representative Jennings:

SUBJECT: Fiscal Note for HB 2128 by House Committee on Corrections and Juvenile Justice

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2128 is respectfully submitted to your committee.

HB 2128 would amend current law to allow the district court from which a defendant is on parole, probation, assigned to community corrections, or under a suspended sentence to transfer jurisdiction of the defendant with the concurrence of the receiving judicial district and of the parties. The bill would also expand who is eligible for placement in certified drug abuse treatment programs by allowing certain nondrug offenders to participate in the programs. HB 2128 would add a subsection addressing the ability of a district to transfer jurisdiction. The bill would take effect upon publication in the statute book.

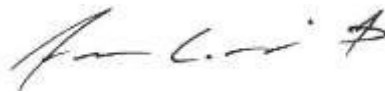
The Office of Judicial Administration indicates enactment of HB 2128 could affect the amount of time spent by court services officers in the supervision of offenders, but any fiscal effect would be negligible.

The Kansas Sentencing Commission indicates the enactment of HB 2128 may reduce prison admissions and beds, but an estimate cannot be determined at this time. This assessment is based on data related to convictions for certain nonperson, nondrug offenses that received probation sentences and probation revocations of certain nonperson, nondrug probation condition violators for positive drug tests.

Additionally, the Commission estimates enactment of the bill could increase the number of SB 123 drug treatment offenders by either 238, 476, or 713 persons in FY 2022. The Commission's estimates are based on three different scenarios. Because of the potential increase

of SB 123 drug treatment offenders, the Commission estimates additional State General Fund expenditures of \$748,034, \$1,492,925, or \$2,239,952 in FY 2022, depending on which scenario occurs. The Commission reports this assessment is based on the average cost of treatment in the SB 123 Drug Treatment Program of \$3,143 per offender in FY 2019. The Department of Corrections indicates the bill would have no fiscal effect. Any fiscal effect associated with HB 2128 is not reflected in *The FY 2022 Governor's Budget Report*.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam Proffitt".

Adam Proffitt
Director of the Budget

cc: Scott Schultz, Sentencing Commission
Debbie Thomas, Judiciary
Randy Bowman, Corrections