

February 16, 2022

CORRECTED

The Honorable Stephen Owens, Chairperson  
House Committee on Corrections and Juvenile Justice  
Statehouse, Room 546-S  
Topeka, Kansas 66612

Dear Representative Owens:

**SUBJECT:** Corrected Fiscal Note for HB 2673 by House Committee on Corrections and Juvenile Justice

In accordance with KSA 75-3715a, the following corrected fiscal note concerning HB 2673 is respectfully submitted to your committee.

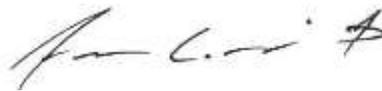
HB 2673 would amend current law to provide that if an offense is classified as severity level 4C-F and 5B-C, the court may impose an optional nonprison sentence. The bill would provide a sentence of presumptive probation if an offense is classified as severity level 4G-I and 5D-I. The bill would also expand the offenses eligible for a sentence of mandatory or discretionary placement in certified drug abuse treatment by the court.

The Kansas Sentencing Commission estimates that enactment of HB 2673 would result in a decrease of 110 adult prison beds needed by the end of FY 2023. In the fiscal effect statement originally issued, this was incorrectly reported as an increase in prison beds needed. By the end of FY 2032, 160 fewer beds would be needed. However, the Department of Corrections indicates it would realize no savings from the reduction in beds as facility costs would shift to costs for supervision of probationers sentenced to community corrections. The current estimated available bed capacity is 9,428 for males and 936 for females. Based upon the Commission's most recent ten-year projection contained in its *FY 2022 Adult Inmate Prison Population Projections* report, it is estimated that the year-end population will total 7,782 male and 756 female inmates in FY 2022 and 7,736 male and 730 female inmates in FY 2023.

The Commission estimates the bill would increase expenditures for substance abuse treatment by \$265,720 in FY 2023 and would increase to \$294,840 by FY 2032 which is based on

the average annual cost of \$3,640 per offender treated. The Office of Judicial Administration indicates that enactment of HB 2673 could increase the number of pre-sentence investigations and assessments completed as well as the number of offenders required to be supervised by court services officers. The Office also indicates that the bill could result in the collection of additional revenue from supervision fees. However, an accurate estimate of the fiscal effect cannot be determined. Any fiscal effect associated with HB 2673 is not reflected in *The FY 2023 Governor's Budget Report*.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam Proffitt", with a stylized flourish at the end.

Adam Proffitt  
Director of the Budget

cc: Scott Schultz, Sentencing Commission  
Vicki Jacobsen, Judiciary  
Randy Bowman, Corrections