

January 30, 2023

The Honorable Kellie Warren, Chairperson
Senate Committee on Judiciary
300 SW 10th Avenue, Room 346-S
Topeka, Kansas 66612

Dear Senator Warren:

SUBJECT: Fiscal Note for SB 73 by Senate Committee on Judiciary

In accordance with KSA 75-3715a, the following fiscal note concerning SB 73 is respectfully submitted to your committee.

SB 73 would add “domestic battery” and “violation of a protection order” to the definitions of “burglary” and “aggravated burglary.”

The Office of Judicial Administration states enactment of SB 73 could increase the number of cases filed in district court because the bill would expand the crimes of burglary and aggravated burglary, which could increase the time spent by judges and court employees processing, researching, and hearing these cases. Since a portion of these crimes carry a severity level nine, nonperson felony, there could be also be more supervision required by court service officers. The Office also indicates that the bill’s enactment could result in the collection of docket fees, fines, and supervision fees in those cases filed under the bill’s provisions, which would be credited to the State General Fund. The Office states a fiscal effect cannot be estimated until the Judicial Branch has had an opportunity to operate under the bill’s provisions.

The Kansas Sentencing Commission estimates that enactment of SB 73 would result in an increase of 27, 57, or 87 beds needed by the end of FY 2024 depending on the scenario. By the end of FY 2033, 42, 77, or 120 additional beds would be needed, depending on the scenario. 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 2023 Adult Inmate Prison Population Projections* report, it is estimated that the year-end population will total 7,933 male and 764 female inmates in FY 2023 and 8,043 male and 740 female inmates in FY 2024. The

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Department of Corrections states enactment of the bill would result in additional expenditures of between \$93,819 for 27 beds and up to \$302,307 for 87 beds from the State General Fund, depending on the scenario in FY 2024. Any fiscal effect associated with SB 73 is not reflected in *The FY 2024 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: Vicki Jacobsen, Judiciary