

February 18, 2011

The Honorable Pat Colloton, Chairperson
House Committee on Corrections and Juvenile Justice
Statehouse, Room 167-W
Topeka, Kansas 66612

Dear Representative Colloton:

SUBJECT: Fiscal Note for HB 2277 by House Committee on Judiciary

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2277 is respectfully submitted to your committee.

HB 2277 would amend current law by allowing courts to determine whether offenders, who have been convicted of third or fourth and subsequent driving under the influence (DUI) violations, upon release from jail should be supervised by community correctional services or court services for a mandatory period of one year. During that year, offenders would be required to participate in alcohol or drug abuse treatment programs. Any violations of the local supervision conditions would result in the offender returning to jail to serve the remainder of the period.

The Office of Judicial Administration indicates that passage of HB 2277 would result in court service officer caseload increases. Using FY 2010 data, the increases would equal approximately 300 low-risk offenders and 482 medium-risk offenders. If it is assumed that court service officers would supervise all of the low-risk offenders, the Office that an additional four court services officers would be needed, which would require \$201,016 from the State General Fund. If it is assumed that court service officers would have to supervise both low-risk and medium risk offenders, an additional 12 court service officers with salaries and wages costs of \$603,049 would be required.

The Kansas Association of Counties indicates that counties would incur additional costs resulting from offenders who have their supervision revoked and are returned to jail for longer stays. However, the Association states that the precise amount of the additional jail costs is difficult to determine because it is not known how many offenders who would have their supervision rescinded. A request for information has been sent to the Department of Corrections; however, a response had not been received at the time this note was prepared. Any fiscal effect associated with HB 2277 is not reflected in *The FY 2012 Governor's Budget Report*.

Sincerely,



Steven J. Anderson, CPA, MBA
Director of the Budget

cc: Mary Rinehart, Judiciary
Melissa Wangemann, KS Association of Counties

Jeremy Barclay, KDOC