

March 16, 2011

REVISED

The Honorable Tim Owens, Chairperson
Senate Committee on Judiciary
Statehouse, Room 559-S
Topeka, Kansas 66612

Dear Senator Owens:

SUBJECT: Revised Fiscal Note for SB 159 by Senator Pilcher-Cook

In accordance with KSA 75-3715a, the following revised fiscal note concerning SB 159 is respectfully submitted to your committee.

SB 159 would add conditions of supervision for sex offenders serving on parole or post-release supervision. Offenders must agree in writing to be subject to search or seizure by a parole officer, community correctional services officer, or other law enforcement officer at any time of the day or night with or without a search warrant and without cause. Additionally, sex offenders must agree in writing not to possess pornographic materials. The Kansas Parole Board would be required to obtain the written agreements. The conditions would apply retroactively to any violent sex offender who is on parole or post-release supervision as of July 1, 2011 or to any offender released on or after July 1, 2011.

According to the Sentencing Commission, the impact to prison beds from the passage of SB 159 is not known because no data are available regarding offender parole revocations from possessing prohibited items. Both the Department of Corrections and the Kansas Association of Counties indicate that the expanded search or seizure provisions would have no fiscal effect on parole and local law enforcement operations. The original fiscal note did not contain specific information from the Sentencing Commission, Department of Corrections, or the Kansas Association of Counties. The Kansas Parole Board states that any fiscal effect resulting from the enactment of the bill could be absorbed within existing resources.

Sincerely,



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

cc: Marie McNeal, Parole Board
Jeremy Barclay, Corrections
Larry Baer, League of Municipalities
Melissa Wangemann, Kansas Association of Counties