

January 29, 2015

The Honorable John Barker, Chairperson  
House Committee on Judiciary  
Statehouse, Room 149-S  
Topeka, Kansas 66612

Dear Representative Barker:

**SUBJECT:** Fiscal Note for HB 2024 by House Committee on Judiciary

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2024 is respectfully submitted to your committee.

HB 2024 would require that when determining the sentence to be imposed on domestic battery offenders within the limits for first, second, third, or subsequent offenses, courts must consider current or prior protective orders issued against the offender.

Estimated State Fiscal Effect				
	FY 2015 SGF	FY 2015 All Funds	FY 2016 SGF	FY 2016 All Funds
Revenue	--	--	--	--
Expenditure	--	--	\$264,078	\$264,078
FTE Pos.	--	--	--	5.00

According to the Office of Judicial Administration, court services officers would be required to provide presentence investigation reports for misdemeanor domestic battery cases for the purposes of providing the information required by the bill at sentencing hearings. Currently, presentence investigation reports are required only in felony cases. For felony cases, additional time would be required to research and verify information relating to protective orders. For both misdemeanor and felony domestic battery cases, additional time would be needed to search for information, contact other states to obtain information, and write reports.

It is estimated that an average of four hours would be needed to research and write the presentence investigation reports in misdemeanor cases. Approximately three additional hours would be needed to provide the additional information in felony cases. The Office notes that in

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FY 2014 a total of 2,509 persons were charged with misdemeanor domestic battery and a total of 79 persons were charged with felony domestic battery. Using these numbers, a total of 4,279 additional court services officer hours would be incurred, which would require 5.00 additional Court Services Officer FTE positions and salaries and wages expenditures of \$264,078 from the State General Fund for FY 2016. These would be ongoing costs and it is expected that similar amounts would be needed in FY 2017.

The Kansas Sentencing Commission states that the bill would have no effect on prison admissions, prison beds, or the workload of the agency. Any fiscal effect associated with HB 2024 is not reflected in *The FY 2016 Governor's Budget Report*.

Sincerely,

A handwritten signature in black ink, appearing to read "Shawn Sullivan", with a horizontal line extending to the right.

Shawn Sullivan,  
Director of the Budget

cc: Mary Rinehart, Judiciary  
Pat Scalia, BIDS  
Scott Schultz, Sentencing Commission  
Melissa Wangemann, KAC