

February 12, 2016

REVISED

The Honorable John Rubin, Chairperson
House Committee on Corrections and Juvenile Justice
Statehouse, Room 151-S
Topeka, Kansas 66612

Dear Representative Rubin:

SUBJECT: Revised Fiscal Note for HB 2592 by House Committee on Corrections and Juvenile Justice

In accordance with KSA 75-3715a, the following revised fiscal note concerning HB 2592 is respectfully submitted to your committee.

HB 2592 would clarify that the statute, which defines the crimes of burglary and aggravated burglary, does not apply to any person who enters or remains in a retail or commercial premise that is open to the public, except when the person does so with the intent to commit a person felony or sexually motivated crime.

Since the original fiscal effect statement was issued, the Kansas Sentencing Commission has provided information on the fiscal effect of this bill. The Commission estimates that HB 2592 would result in a decrease of at least 28 adult prison beds needed in FY 2017 and a total decrease of 192 adult prison beds needed over the next ten years, if at least 15.0 percent of the offenders convicted of the crime of aggravated burglary are not sentenced to prison. Based on the Commission's data, the Department of Corrections estimates HB 2592 would produce cost avoidance of at least \$1,317,504 over the ten-year period.

The Office of Judicial Administration indicates HB 2592 would have no fiscal effect on Judicial Branch expenditures, but may reduce revenues from docket fees and fines since there are a number of cases that could include the charge of burglary under current law, and would no longer include that charge under the provisions of this bill. While the reduction in revenues to the Judicial Branch would be negligible, it is not possible to provide an accurate estimate until the courts have had an opportunity to operate with these provisions in place.

Sincerely,



Shawn Sullivan,
Director of the Budget

cc: Ashley Michaelis, Judiciary
Larry Baer, League of Municipalities