

February 8, 2017

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

Dear Representative Jennings:

SUBJECT: Fiscal Note for HB 2264 by House Committee on Corrections and Juvenile Justice

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2264 is respectfully submitted to your committee.

Under HB 2264, when a firearm is used in the commission of an offense that would constitute a felony if committed by an adult, a judge could commit a juvenile offender directly to a juvenile correctional facility or a youth residential facility for a minimum term of six months and a maximum term of 18 months, regardless of the risk level the juvenile is assigned on a risk and needs assessment. The court could also grant a period of conditional release; however, the release would be limited to a maximum of six months and would be subject to graduated responses. The Secretary of Corrections would be required to notify the court of a juvenile's anticipated release date 21 days prior to release.

The bill would also amend current law by removing one classification of "serious offender" that applies to juveniles who commit the equivalent of a nondrug severity level seven, person felony if committed by an adult, along with one prior adjudication. These offenders would instead be classified in the same category as juvenile offenders who commit the equivalent of a nondrug severity level eight, nine, or ten, person felony with one prior adjudication.

According to the Kansas Sentencing Commission, the bill would have an effect on juvenile correctional facility admissions and bed space; however, the Commission cannot be estimated. The Kansas Department of Corrections states enactment of HB 2264 would reduce available juvenile reinvestment funds through an increased use of confinement in a juvenile

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correctional facility or youth residential facility; however, the Department cannot be estimated. Any fiscal effect associated with HB 2264 is not reflected in *The FY 2018 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: Linda Kelly, Corrections
Scott Schultz, Sentencing Commission
Melissa Wangemann, Association of Counties
Ashley Michaelis, Judiciary
Willie Prescott, Office of the Attorney General