

STATE OF KANSAS



DIVISION OF THE BUDGET
LONDON STATE OFFICE BUILDING
900 SW JACKSON STREET, ROOM 504
TOPEKA, KS 66612

PHONE: (785) 296-2436
FAX: (785) 296-0231
larry.campbell@ks.gov

GOVERNOR JEFF COLYER, M.D.
LARRY L. CAMPBELL, CHIEF BUDGET OFFICER

February 23, 2018

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 2717 by House Committee on Corrections and Juvenile Justice

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2717 is respectfully submitted to your committee.

HB 2717 would change "house arrest" to "electronic monitoring." To integrate this change, the bill would remove the definition of "house arrest," and add the definition of "geofencing" and clarify the definition of "electronic monitoring device."

The bill would incorporate defendant eligibility for electronic monitoring. HB 2717 would specify defendants that are found guilty of certain crimes including A or B felonies, any off-grid felony, or any nondrug crimes severity level one through three would not be eligible for electronic monitoring. The bill would require that the courts place defendants on electronic monitoring if they fail to comply with conditions of probation or if found guilty of a severity level four or five drug felony. Inmates with security status greater than the minimum or that have been denied parole in the last six months would not be eligible for electronic monitoring.

HB 2717 would require the Secretary of Corrections to create a system for calculating alternative incarceration credit, determining whether an inmate is low risk, and a procedure for inmates to petition the Prisoner Review Board for alternative incarceration. The bill specifies that inmates that earn alternative incarceration credits must serve those on electronic monitoring. Inmates may request to complete the remainder of their sentence on electronic monitoring. Time on electronic monitoring would not be added to an inmate's post release supervision.

According to the Office of Judicial Administration, enactment of HB 2717 would have a negligible fiscal effect on the Judicial Branch.

The Kansas Sentencing Commission estimates enactment of the bill could have an effect on prison admissions and bed space; however, the Commission cannot estimate an effect.

The Department of Corrections states the current contract for electronic monitoring is \$4.79 per offender, per day. Based on pricing provided by the Department's vendor, the bill's provisions could increase the cost to as much as \$19.29 per offender, per day because of the requirement for 24-hour monitoring with the capability of alerting the appropriate authorities for alarms. The Department is unable to estimate how many additional offenders could be placed on electronic monitoring and how many beds would be saved as a result of placing an offender on electronic monitoring instead of incarceration. The Department estimates that additional parole officers could be needed, depending on how many offenders are placed on electronic monitoring and where those offenders reside. To comply with the requirement for creating an alternative incarceration credit system, the Department estimates an additional 1.00 Programmer II FTE position would be needed for FY 2019 at a total cost of \$49,955 from the State General Fund. Any fiscal effect associated with HB 2717 is not reflected in *The FY 2019 Governor's Budget Report*.

Sincerely,



Larry L. Campbell
Chief Budget Officer

cc: Linda Kelly, Corrections
Scott Schultz, Sentencing Commission
Ashley Michaelis, Judiciary