

SESSION OF 2017

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2260

As Recommended by House Committee on
Judiciary

Brief*

HB 2260 would allow a court to revoke probation, assignment to a community corrections program, suspension of a sentence, or nonprison sanction of an offender without having previously imposed an intermediate sanction if such probation, assignment, suspension, or sanction was originally granted as a result of a dispositional departure.

Background

2013 HB 2170, known as the Justice Reinvestment Act, established a series of graduated, intermediate sanctions for persons violating conditions of probation, assignment to community corrections, suspension of sentence, or nonprison sanction, including two-day or three-day confinement in jail and 120-day or 180-day confinement in the custody of the Kansas Department of Corrections.

HB 2260 was introduced by the House Committee on Judiciary at the request of the Kansas County and District Attorneys Association (KCDAA). At the hearing before the House Committee, KCDAA presented testimony in support of the bill. No other testimony was presented.

According to the fiscal note prepared by the Division of the Budget on the bill, the Office of Judicial Administration indicates enactment of the bill could result in an increase of probation revocations but could not determine a precise fiscal

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

effect. According to the prison bed impact assessment prepared by the Kansas Sentencing Commission on the bill, enactment of the bill would reduce adult prison admissions by 47 in FY 2018 and FY 2019 but would increase adult prison beds needed by 13 in FY 2018 and 16 in FY 2019. Based on a contract rate of \$40 per day, it may cost the Department of Corrections an additional \$89,206 in FY 2018 and \$109,792 in FY 2019 for contract jail beds in the case of an anticipated bedspace shortfall. The Department of Corrections indicates it would avoid costs of \$322,514 in FY 2018 and FY 2019 due to the estimated reduction in prison admissions.

Any fiscal effect associated with enactment of the bill is not reflected in *The FY 2018 Governor's Budget Report*.