

SESSION OF 2003

SUPPLEMENTAL NOTE ON SENATE BILL NO. 111

As Recommended by Senate Committee on
Judiciary

Brief*

SB 111 would establish a presumed sentence of imprisonment for the burglary of unoccupied non-dwelling structures and the burglary of vehicles for those offenders who have three prior convictions for burglary or aggravated burglary under Kansas law, or juvenile adjudications or convictions from other states. This bill would state that comparable juvenile adjudications and out-of-state convictions for burglary of an unoccupied structure or aggravated burglary would be considered in determining an offender's criminal history. The imprisonment would be at a Department of Corrections' facility that houses inmates having a minimum-security classification. However, the Secretary of Corrections may classify the offender in accordance with the Department's policies and procedures.

The bill would also authorize the Department to expand or construct additional housing for minimum-custody offenders, but would require that the Secretary give priority to facilities for any new construction or expansion projects that already house minimum-security inmates.

Background

The bill was supported by the Kansas Peace Officers Association, the Sedgwick County Sheriff's Office, and county attorneys from Douglas and Ellis counties, and the State Farm Insurance Company.

The fiscal note states that according to the Kansas Sentencing Commission, passage of this bill may increase the prison population by

*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/kldr>

15 to 79 inmates over the ten-year prison population projection period ending June 30, 2012. Under the Sentencing Commission's most recent prison population projections, any additions to the existing prison population would exceed the capacity for male inmates through the ten-year projection period.

If the bill's presumption of minimum-security classification for offenders results in the need for additional minimum-security beds, the Department has identified several options at existing facilities. Two options, Winfield and Lansing Correctional Facilities, would involve the renovation of existing buildings at an estimated cost of \$7,585-\$9,948 per bed. Three options, Hutchinson, El Dorado, and Lansing Correctional Facilities, would involve the construction of new minimum-security living units at an estimated cost of \$16,409 to \$20,144 per bed. Ongoing operating costs are estimated at \$18,803 per bed in FY 2004.