



March 20, 2026

The Honorable Bob Lewis, Chairperson
House Committee on Corrections and Juvenile Justice
300 SW 10th Avenue, Room 546-S
Topeka, Kansas 66612

Dear Representative Lewis:

SUBJECT: Fiscal Note for HB 2704 by House Committee on Corrections and Juvenile Justice

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2704 is respectfully submitted to your committee.

HB 2704 would amend the law governing credit for time a defendant has spent incarcerated when computing a sentence and parole eligibility and conditional release dates. Under current law, the sentencing court is required to designate a date in the journal entry of judgment that reflects the time a defendant has spent incarcerated pending disposition of the case, and the defendant is entitled to receive credit for each day spent incarcerated. The bill would provide that, for any sentence computed on or after October 20, 2023, two categories of time would not be considered time spent incarcerated pending disposition of the defendant's case: any time awarded as credit in another case when consecutive sentences are imposed on a defendant, and any time spent incarcerated in another jurisdiction if no hold has been issued in that jurisdiction for the case being sentenced. The bill would take effect upon publication in the *Kansas Register*.

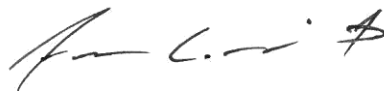
The Sentencing Commission estimates that enactment of HB 2704 would have no effect on prison admissions but would increase the number of prison beds needed. However, an estimate of the effect on prison beds cannot be determined. The Commission notes that the jail credit data it maintains do not indicate whether time awarded as credit in another case or time spent incarcerated in another jurisdiction was considered when computing defendants' sentences. In FY 2025, 404 offenders were sentenced to prison on a multiple-count case where a consecutive sentence was imposed, and of those, 338 (83.7 percent) had some form of jail credit recorded on the sentencing journal entry. The current estimated available bed capacity is 9,924 for males and 968 for females. Based upon the Commission's most recent ten-year projection contained in its

FY 2026 Adult Inmate Prison Population Projections report, it is estimated that the year-end population would total 9,176 male and 924 female inmates in FY 2026 and 9,485 male and 953 female inmates in FY 2027.

The Department of Corrections indicates that enactment of the bill would likely increase the prison population; however, the extent of the increase cannot be estimated. The Board of Indigents' Defense Services and the Judiciary indicate that enactment of the bill would have no fiscal effect on agency operations.

The League of Kansas Municipalities indicates that enactment of the bill would have no fiscal effect on city governments. The Kansas Association of Counties did not provide an estimate of the fiscal effect on county governments.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam C. Proffitt", with a stylized flourish at the end.

Adam C. Proffitt
Director of the Budget

cc: Jennifer King, Department of Corrections
Scott Schultz, Kansas Sentencing Commission
Trisha Morrow, Judiciary
Ann Sagan, Board of Indigents Defense Services
Bruce Chladny, Kansas Association of Counties
Wendi Stark, League of Kansas Municipalities