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Ray Roberts, Secretary

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Testimony  
to  
The House Committee on Corrections and Juvenile Justice  
& The Senate Judiciary

By Ray Roberts  
Secretary  
Kansas Department of Corrections  
January 25, 2012

House Substitute for SB 6 established the Community Corrections Supervision Fund. Receipts to this fund come from a DUI fine of \$250 and \$150 fee for individuals who desire to have their DUI penalties modified. According to the bill, the first \$100,000 generated by this fee is credited to the Division of Vehicles Operating Fund with the Department of Revenue, with any remaining fees being credited to the Community Corrections Supervision Fund with the Department of Corrections.

During the conference committee hearing it was estimated that \$1.1 million would be available. The Department has been tracking receipts to this fund, and through August *no* revenue had been received, and only \$1,252 had been received by time the agency's budget request was submitted to the Division of the Budget in September. As of January 24 the Department has received \$162,913.

As this is a new special revenue fund, the agency had no revenue history to realistically estimate how much would be received through the year and subsequently how much could be distributed to the community corrections agencies. Thus, the Department did not feel it was appropriate to commit \$1.1 million to community corrections agencies in FY 2012 when it was not clear if the Department would receive the revenue it needed to meet this commitment. Making such a commitment would have led community corrections agencies to budget at a higher level in anticipation of receiving these funds, and then having to cut back again once it was realized the revenues were not coming in at sufficient levels. Given the fact that receipts have fallen well short of expectations, the agency feels it has made the right decision and stands by it.

The Community Corrections Supervision Fund has a no-limit expenditure limitation. This allows the Department to make a decision late in FY 2012, when the agency can more accurately forecast how much will be available for distribution at the beginning of FY 2013.

Included with this testimony is the Department's current revenue estimates for FY 2012 and FY 2013. The agency is estimating total receipts of \$370,187 for FY 2012. Assuming 2% growth in FY 2013, the agency estimates \$917,400 in total receipts at the end of FY 2013.

**Revenue Estimates**  
**Community Corrections Supervision Fund**

**Assumes no growth after January 2012**

FY 2012	July	August	September	October	November	December	January	February	March	April	May	June	Total
\$100 Fine	-	-	17,050	37,950	32,250	36,650	31,174	35,000	35,000	35,000	35,000	35,000	330,074
\$250 Fine	-	-	1,252	1,065	3,688	4,385	4,723	5,000	5,000	5,000	5,000	5,000	40,113
Total	\$ -	\$ -	\$ 18,302	\$ 39,015	\$ 35,938	\$ 41,035	\$ 35,897	\$ 40,000	\$ 40,000	\$ 40,000	\$ 40,000	\$ 40,000	\$ 370,187

FY 2013	July	August	September	October	November	December	January	February	March	April	May	June	Total
\$100 Fine	35,000	35,000	35,000	35,000	35,000	35,000	35,000	35,000	35,000	35,000	35,000	35,000	750,074
\$250 Fine	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000	100,113
Total	\$ 40,000	\$ 40,000	\$ 40,000	\$ 40,000	\$ 40,000	\$ 40,000	\$ 40,000	\$ 40,000	\$ 40,000	\$ 40,000	\$ 40,000	\$ 40,000	\$ 850,187

**Assumes 2% growth through FY 13**

FY 2012	July	August	September	October	November	December	January	February	March	April	May	June	Total
\$100 Fine	-	-	17,050	37,950	32,250	36,650	31,174	35,000	35,000	35,000	35,000	35,000	330,074
\$250 Fine	-	-	1,252	1,065	3,688	4,385	4,723	5,000	5,000	5,000	5,000	5,000	40,113
Total	\$ -	\$ -	\$ 18,302	\$ 39,015	\$ 35,938	\$ 41,035	\$ 35,897	\$ 40,000	\$ 40,000	\$ 40,000	\$ 40,000	\$ 40,000	\$ 370,187

FY 2013	July	August	September	October	November	December	January	February	March	April	May	June	Total
\$100 Fine	35,700	36,414	37,142	37,885	38,643	39,416	40,204	41,008	41,828	42,665	43,518	44,388	808,886
\$250 Fine	5,100	5,202	5,306	5,412	5,520	5,631	5,743	5,858	5,975	6,095	6,217	6,341	108,515
Total	\$ 40,800	\$ 41,616	\$ 42,448	\$ 43,297	\$ 44,163	\$ 45,046	\$ 45,947	\$ 46,866	\$ 47,804	\$ 48,760	\$ 49,735	\$ 50,730	\$ 917,400

Estimates reflect total revenue generated through FY 13 and does not take into account any payments made to community corrections. Estimates based on four months of revenue history; actual receipts may vary significantly from these estimates. Actual receipts in italics.