

February 11, 2011

The Honorable Pat Colloton, Chairperson  
House Committee on Corrections and Juvenile Justice  
Statehouse, Room 167-W  
Topeka, Kansas 66612

Dear Representative Colloton:

SUBJECT: Fiscal Note for HB 2045 by House Committee on Corrections and Juvenile Justice

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2045 is respectfully submitted to your committee.

HB 2045 would amend current law by expanding the criteria for and increasing the penalties for the crime of breach of privacy. The bill would also increase penalties for the crime of blackmail in cases where an offender threatens to disseminate any videotape, photograph, film, or image obtained illegally under the amended breach of privacy statute.

The Kansas Sentencing Commission estimates that passage of HB 2045 would result in an increase of one adult prison bed in FY 2012 and an increase of three adult prison beds by FY 2021. Currently, the number of male inmates exceeds the available bed capacity of 8,259, and based upon the Kansas Sentencing Commission projections, it is estimated that at the end of FY 2011 and FY 2012, the number of male inmates will exceed available capacity by 235 beds and 394 beds, respectively. To address capacity issues, the Governor's recommended FY 2012 budget includes \$2.5 million for contract prison beds. If it is determined that facility construction is necessary, the Department of Corrections has identified two capacity expansion projects: two high medium security housing units at El Dorado Correctional Facility that would provide 512 beds with a construction cost of \$22,687,232 (\$44,311 per bed X 512) and operating costs of \$9,339,904 (\$18,242 per bed X 512); and one minimum security housing unit at Ellsworth Correctional Facility that would provide 100 beds with a construction cost of \$5,935,000 (\$59,350 per bed X 100) and operating costs of \$1,832,000 (\$18,320 per bed X 100). Any fiscal effect associated with HB 2045 is not reflected in *The FY 2012 Governor's Budget Report*.

Sincerely,



Steven J. Anderson, CPA, MBA  
Director of the Budget

cc: Brenda Harmon, Sentencing  
Mary Rinehart, Judiciary

Jeremy Barclay, KDOC  
Pat Scalia, BIDS