

March 22, 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 2326 by House Committee on Corrections and Juvenile Justice

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2326 is respectfully submitted to your committee.

HB 2326 would allow offenders who have been sentenced to probation to be transferred from community corrections supervision to court services supervision when a determination is made, through the use of a statewide, mandatory, standardized risk assessment tool specified by the Kansas Sentencing Commission, that an offender is no longer at high risk to reoffend. When an offender successfully completes a substance abuse treatment program, a presumption would exist that the offender would be discharged from probation, unless the court determines a need for additional supervision. If further supervision is required, the offender would remain with community corrections. However, the offender could be transferred to court services when a determination is made, using the same risk assessment tool, that the offender is no longer at high risk to reoffend. The bill would also require every adult felony offender who is considered for placement with community corrections to undergo a risk assessment before sentencing. Based on the results of the assessment, the offender could be transferred between court services or community corrections at any time during the supervision period.

Estimated State Fiscal Effect				
	FY 2011 SGF	FY 2011 All Funds	FY 2012 SGF	FY 2012 All Funds
Revenue	--	--	--	--
Expenditure	--	--	\$2,965,045 – \$4,924,990	\$2,965,045 – \$4,924,990
FTE Pos.	--	--	--	59.00 – 98.00

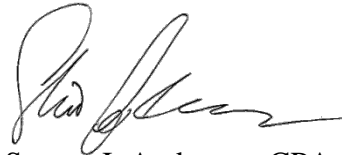
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According to the Office of Judicial Administration, passage of HB 2326 could require between \$2,965,045 and \$4,924,990 from the State General Fund in salaries and wages costs for 59.00 to 98.00 additional court service officer FTE positions. There are four levels of supervision based on an offender's score from the standardized risk assessment tool or the Level of Services Inventory-Revised (LSI-R). Level IV is considered low risk, Levels III and II are considered medium risk, and Level I is considered high risk. Under the bill, the Office estimates that 2,127 Level IV and 2,879 Level III offenders could be transferred from community corrections supervision to court services, which would require 59.00 additional court services officer FTE positions with salaries and wages costs of \$2,965,045. If it is assumed that Level II offenders are also transferred to court services custody, this would add another 39.00 court services FTE positions and require \$1,959,945 in operating costs to supervise 2,559 offenders. However, the Office of Judicial Administration indicates that the transfer of Level II offenders would be unlikely. It is likely that the increased court service costs from transferring certain offenders from community corrections agencies to court services could be partially offset by supervision cost reductions for community corrections, which could also reduce the amount of grant funding required from the Department of Corrections. The Department is the state agency responsible for disbursement of community corrections grants and guidelines. Several requests for information have been sent to the Department; however, no response has yet been received. A revised note will be provided once specific information is obtained. Any fiscal effect associated with HB 2326 is not reflected in *The FY 2012 Governor's Budget Report*.

Sincerely,



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

cc: Jeremy Barclay, Corrections  
Mary Rinehart, Judiciary  
Melissa Wangemann, Kansas Association of Counties