

March 8, 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 2327 by House Committee on Corrections and Juvenile Justice

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2327 is respectfully submitted to your committee.

HB 2327 would amend existing law concerning crimes, criminal procedure and punishment with regard to veterans suffering from post-traumatic stress disorder. The bill would require that a defendant convicted of a criminal offense could, at the time of conviction or sentencing, indicate that the offense was committed as a result of mental illness, including post-traumatic stress disorder stemming from U.S. military service in a combat zone. The court would then be required to confirm the defendant's military service, whether the defendant does suffer from mental illness, and whether the illness was caused or exacerbated by the military services. If these criteria can be confirmed and the defendant's current crime falls within a presumptive non-prison category under the sentencing guidelines, the court may order the defendant to undergo treatment for the illness. The bill would add providing certification of service by a veteran in a combat zone to any sentencing judge requesting certification to the duties of the Executive Director of the Kansas Commission on Veterans Affairs.

According to the Office of Judicial Administration, passage of HB 2327 would result in additional requests for hearings in those cases where the defendant has served in U.S. military service in a combat zone. This could result in additional time spent by district court judicial and non-judicial personnel on such cases. Nevertheless, an accurate estimate of the fiscal effect on expenditures by the Judicial Branch cannot be given until the courts have had an opportunity to operate under the provisions of this bill. Any fiscal effect associated with HB 2327 is not reflected in *The FY 2012 Governor's Budget Report*.

Sincerely,



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

cc: Mary Rinehart, Judiciary