

SESSION OF 2011

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2249

As Recommended by House Committee on
Corrections and Juvenile Justice

Brief*

HB 2249 would amend KSA 65-4105, by adding substituted cathinones, commonly known as bath salts, to the list of controlled substances included in Schedule I. The bill uses a general chemical class approach intended to prevent manufacturers from simply transitioning from scheduled compounds to uncontrolled compounds.

Background

In the House Committee on Corrections and Juvenile Justice, representatives of the Johnson County Sheriff's Office Criminalistics Lab, the Kansas County and District Attorneys Association, the Kansas Association of Chiefs of Police, Kansas Sheriffs Association, and the Kansas Peace Officers' Association offered testimony in support of HB 2249. The Committee also received written testimony in support of the bill from representatives of the Kansas Association of Addiction Professionals and the Kansas Board of Pharmacy, as well as from a private citizen. No opponents provided testimony.

The Kansas Sentencing Commission estimates an increase in annual convictions pursuant to HB 2249 of 1-4 prison beds in FY 2012 and 2-9 beds in FY 2021. As the number of male inmates already exceeds capacity, the bed impact of this bill in addition to the impact of other possible legislation is likely to require additional expenditures. *The*

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

Governor's Recommended FY 2012 Budget includes \$2.5 million for contract prison beds and if construction is necessary, the Department of Corrections has identified two expansion projects: two high medium housing units at El Dorado Correctional Facility, with 512 beds at a cost of \$22.7 million for construction and \$9.3 million for operation; and one minimum security housing unit at Ellsworth Correctional Facility, with 100 beds at a cost of \$5.9 million for construction and \$1.8 million for operation.

The Kansas Bureau of Investigation indicates that each forensic laboratory would need substitute cathinone standards to provide chemical analysis for law enforcement and court cases. The Bureau estimates 15 standards would be needed at a cost of \$400 each, with a total cost of \$6,000.

The Office of Judicial Administration reports that the fiscal effect of the bill would most likely be accommodated within the existing schedule of court cases and would not require additional resources.