

January 30, 2013

The Honorable John Rubin, Chairperson  
House Committee on Corrections and Juvenile Justice  
Statehouse, Room 151-S  
Topeka, Kansas 66612

Dear Representative Rubin:

SUBJECT: Fiscal Note for HB 2044 by House Committee on Corrections and Juvenile Justice

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2044 is respectfully submitted to your committee.

HB 2044 would create the new crimes of distribution of a controlled substance causing great bodily harm and distribution of a controlled substance causing death. Distribution of a controlled substance causing great bodily harm would be a nondrug severity level 5, person felony while distribution of a controlled substance causing death would be a nondrug severity level 1, person felony.

The Office of Judicial Administration indicates that enactment of HB 2044 could increase the number of cases filed in district courts and the number of appeals relating to controlled substances. This would increase the time spent by district court and appellate court judicial and non-judicial personnel in processing, researching, and hearing cases. Likewise, the additional cases could also result in the collection of added revenue from docket fees. However, it is not possible to predict the number of additional court cases that would arise or how complex and time-consuming they would be. Therefore, a precise fiscal effect cannot be determined. In any case, the fiscal effect would most likely be accommodated within the existing schedule of court cases and would not require additional resources.

According to the Kansas Sentencing Commission, the bill would have an effect on prison bed needs; however, the precise impact cannot be determined because information regarding the new crimes is not currently available in the Commission's databases. Any fiscal effect associated with HB 2044 is not reflected in *The FY 2014 Governor's Budget Report*.

Sincerely,



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

cc: Scott Schultz, Sentencing Commission  
Jeremy Barclay, KDOC

Mary Rinehart, Judiciary