

February 8, 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 2169 by House Committee on Corrections and Juvenile Justice

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2169 is respectfully submitted to your committee.

HB 2169 would amend current law regarding final disposition of pending charge proceedings. Under current law, any offender who is imprisoned in a state correctional institution may request final disposition of any untried indictment, information, or complaint pending against the offender. The bill would add motions to revoke probation to the list of pending charges that may be requested for final disposition. In the event the motion to revoke probation is not brought for a hearing within 180 days of a request for a hearing, the court would no longer have jurisdiction and would be required to dismiss the motion. Any escape from custody would void a prisoner's request for final disposition of a motion to revoke probation.

According to the Office of Judicial Administration, passage of HB 2169 could result in additional hearings on motions to revoke probation, which would increase the time spent by court personnel in processing the hearings. However, it is not possible to predict the number of additional hearings 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. Any fiscal effect associated with HB 2169 is not reflected in *The FY 2014 Governor's Budget Report*.

Sincerely,



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

cc: Mary Rinehart, Judiciary
Jeremy Barclay, Corrections
Pat Scalia, Indigents Defense
Scott Schultz, Sentencing Commission