

March 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 2299 by House Committee on Corrections and Juvenile Justice

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2299 is respectfully submitted to your committee.

HB 2299 would amend existing law by including university or campus police officers, animal control officers, and firefighters under the crimes of assault, aggravated assault, battery, and aggravated battery against a law enforcement officer.

The Kansas Sentencing Commission estimates that passage of HB 2299 would result in an increase of one to three adult prison beds needed in FY 2014 and an increase of five to 15 adult prison beds needed by FY 2023. As of January 14, 2013, the available bed capacity is 9,564. Based upon Kansas Sentencing Commission projections, it is estimated that by the end of FY 2014 and FY 2015 the number of inmates will exceed available capacity by 325 beds and 590 beds, respectively.

To address capacity issues, the Governor's budget includes additional funding of \$3.0 million (\$2.0 million in FY 2014 and another \$1.0 million in FY 2015) for community corrections treatment and supervision programs to reduce the number of probationers entering prison. It is expected that the added funds plus policy changes recommended by the Justice Reinvestment group will make 135 beds available in FY 2014 and up to 853 beds available in FY 2015. However, it is likely that continued projected population increases will also require construction of new cell houses at the El Dorado Correctional Facility. The project would include building two new medium security housing units, which would provide a total of 512 beds. It is estimated that the new units would have a construction cost of approximately \$24.5 million and operating costs of approximately \$8.4 million (or about \$45.00 per inmate per day). Presumably, bonding authority would be required in FY 2015 for the constructions costs with operations at the new cell houses beginning in FY 2016.

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The Office of Judicial Administration indicates that the expanded crimes would likely be addressed within existing assault and battery cases and would not result in increased court caseloads. Passage of the bill would have no fiscal effect on the Judicial Branch. Any fiscal effect associated with HB 2299 is not reflected in *The FY 2014 Governor's Budget Report*.

Sincerely,

A handwritten signature in black ink, appearing to read "Steven J. Anderson", with a long horizontal flourish extending to the right.

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

cc: Scott Schultz, Sentencing Commission  
Mary Rinehart, Judiciary  
Jeremy Barclay, KDOC  
Pat Scalia, BIDS