

February 18, 2015

The Honorable Jeff King, Chairperson
Senate Committee on Judiciary
Statehouse, Room 341-E
Topeka, Kansas 66612

Dear Senator King:

SUBJECT: Fiscal Note for SB 220 by Senate Committee on Judiciary

In accordance with KSA 75-3715a, the following fiscal note concerning SB 220 is respectfully submitted to your committee.

SB 220 would increase the penalty for battery against a mental health employee if committed by an offender who was civilly committed to a treatment facility as a sexually violent predator. The penalty would be increased from a severity level seven, person felony to a severity level three, person felony.

The Kansas Sentencing Commission estimates that passage of SB 220 would result in an increase of one adult prison bed needed in FY 2016 and an increase of two adult prison beds needed in FY 2017. By FY 2025, an additional six adult prison beds would be needed. As of January 12, 2015, the available bed capacity is 9,636. Based upon the Commission's most recent ten-year projection contained in its *FY 2015 Adult Inmate Prison Population Projections* report, it is estimated that the year-end population will exceed available male capacity by 85 inmates in FY 2015, 109 inmates in FY 2016, and 162 inmates in FY 2017. The Department intends to manage the bed shortfall by housing these inmates in contract beds until additional capacity can be constructed. SB 220 would add to those contract bed costs. Based on a contract rate of \$40 per day, it may cost the Department of Corrections an additional \$14,600 in FY 2016 and \$29,200 in FY 2017.

The Office of Judicial Administration indicates that SB 220 would have no fiscal effect on the Judicial Branch. Any fiscal effect associated with SB 220 is not reflected in *The FY 2016 Governor's Budget Report*.

Sincerely,



Shawn Sullivan,
Director of the Budget

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