

February 16, 2016

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

Dear Senator King:

SUBJECT: Fiscal Note for SB 453 by Senate Committee on Corrections and Juvenile Justice

In accordance with KSA 75-3715a, the following fiscal note concerning SB 453 is respectfully submitted to your committee.

SB 453 would allow the Secretary of Corrections to transfer certain offenders from a state correctional facility to home detention, if the offender meets the following requirements:

1. The offender is serving a current sentence for a nondrug severity level four-ten felony or a drug severity level one-five felony and is determined to be low, low-moderate, or moderate risk on a standardized assessment tool;
2. The offender has no prior or current conviction for a sex offense or an inherently dangerous felony;
3. The offender has not been found by the U.S. Attorney General to be subject to a deportation detainer or order;
4. The offender signs any release of information waivers required to allow information regarding current or prior child in need of care cases involving the offender to be shared with the Kansas Department of Corrections (KDOC);
5. The offender had physical custody of his or her child or was a legal guardian with physical custody of a child at the time the offense was committed;
6. The offender has 12 months or less remaining on his or her sentence; and
7. The Secretary of Corrections determines that the placement is in the best interests of the child.

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Offenders placed on community parenting release would provide the Secretary with an approved residence and living arrangement prior to a home detention transfer. An offender placed on community parenting release would be required to wear an electronic monitoring device; participate in programming and treatment that the Secretary determines is needed; and be assigned a community corrections officer to monitor the offender's compliance with the conditions of community parenting release. The Secretary would have the authority to return any offender to a correctional facility if the offender does not comply with the community parenting release requirements.

KDOC indicates enactment of SB 453 has the potential to create savings; however, a fiscal effect cannot be estimated because the agency does not know how many offenders would participate in community parenting release.

The Kansas Sentencing Commission estimates that enactment of SB 453 would reduce prison beds; however, the Commission does not have enough information to provide an estimate. If the Commission provides an estimate, a revised fiscal note will be issued. Any fiscal effect associated with SB 453 is not reflected in *The FY 2017 Governor's Budget Report*.

Sincerely,

A handwritten signature in black ink, appearing to read "Shawn Sullivan", with a horizontal line extending to the right.

Shawn Sullivan,
Director of the Budget

cc: Adam Pfannenstiel, Corrections
Scott Schultz, Sentencing Commission
Jackie Aubert, Children & Families
Ashley Michaelis, Judiciary