

SESSION OF 2015

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2336

As Amended by Senate Committee of the Whole

Brief*

HB 2336, as amended, would require the court to administer a risk assessment tool or review a risk assessment tool administered within the past six months before a juvenile offender can be placed in a juvenile detention center, under house arrest, or in the custody of the Department of Corrections, or can be committed to a sanctions house or to a juvenile correctional facility. These provisions would be effective July 1, 2015.

The bill also would amend law relating to placement of certain juvenile offenders in the custody of the Secretary of Corrections to permit the Secretary to place juveniles between 16 and 18 years of age who are convicted as adults or under extended jurisdiction juvenile prosecution in either a juvenile correctional facility or an adult correctional facility.

The bill would be in effect upon publication in the *Kansas Register*.

Background

The House Committee on Corrections and Juvenile Justice introduced HB 2336 at the request of Representative Finch. In the House Committee, a representative of Kansas Appleseed provided proponent testimony. The Secretary of Corrections provided written proponent testimony. There was no neutral or opponent testimony.

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

The House Committee amended the bill to allow the court to review a risk assessment administered in the past six months, in lieu of administering a new risk assessment.

In the Senate Committee on Corrections and Juvenile Justice, representatives of Kansas Appleseed and the Office of Judicial Administration provided proponent testimony. The Secretary of Corrections provided written proponent testimony. There was no neutral or opponent testimony.

The Senate Committee amended the bill to make technical corrections reflecting the transfer of juvenile justice responsibilities from the Juvenile Justice Authority to the Department of Corrections by Executive Reorganization Order 42 in 2013.

The Senate Committee of the Whole amended the bill to add the provisions of HB 2382, related to placement of certain juvenile offenders, as amended by the House Committee on Corrections and Juvenile Justice. Further background regarding HB 2382 is provided below.

According to the fiscal note prepared by the Division of the Budget, HB 2336, as introduced, would require additional court services officers to be trained to use the juvenile risk assessment tool. It is estimated the training would increase expenditures; however, existing funding from the Correctional Supervision Fund would be used to cover any costs that may occur. Any fiscal effect associated with the bill is not reflected in *The FY 2016 Governor's Budget Report*.

Background of HB 2382

HB 2382 was introduced by the House Committee on Appropriations. In the House Committee on Corrections and Juvenile Justice, the Secretary of Corrections testified in support of the bill, explaining the bill would allow the Department of Corrections to comply with federal law while housing certain youthful offenders in Kansas facilities, instead

of having to house these offenders out of state, as is current practice. There was no opponent or neutral testimony.

The House Committee amended the bill to make it effective upon publication in the *Kansas Register*.

According to the fiscal note prepared by the Division of the Budget, HB 2382 could reduce the \$221,000 spent on contracts to house certain juvenile offenders out of state and other costs associated with transporting the offenders out of state. However, the contract savings would be offset by expenditures required to house juveniles who would have otherwise been housed in Nebraska or North Dakota. Part of the cost would be \$15,000 per year for food service. The Department of Corrections is unable to determine a precise estimate of the fiscal effect from the bill. Any fiscal effect associated with the bill is not reflected in *The FY 2016 Governor's Budget Report*.