

January 30, 2017

The Honorable Blaine Finch, Chairperson
House Committee on Judiciary
Statehouse, Room 519-N
Topeka, Kansas 66612

Dear Representative Finch:

SUBJECT: Fiscal Note for HB 2071 by House Committee on Judiciary

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2071 is respectfully submitted to your committee.

Under certain circumstances, offenders convicted of domestic battery are required to undergo a Domestic Violence Offender Assessment and follow recommendations made by a Certified Batterer Intervention Program, unless otherwise ordered by the court or the Department of Corrections. HB 2071 would eliminate the Department of Corrections from that provision, leaving the matter of whether to differ from recommendations made by the Certified Batterer Intervention Program to the court.

HB 2071 would also amend current law related to the crime of domestic battery by requiring the court to consider any prior or current protective orders when determining the sentence for any domestic violence offender. The definition of protective order would include protection from abuse orders, restraining orders, protection from stalking orders, similar orders that require a person to refrain from having contact with another person, relevant orders issued by other states, and certain orders issued by the tribunal of an Indian tribe.

The Office of Judicial Administration indicates HB 2071 would increase Judicial Branch expenditures beginning in FY 2018 for staff time incurred by Court Service Officers performing more record checks in order to provide the additional information required under these provisions. The Kansas Sentencing Commission indicates the bill would have no fiscal effect on prison admissions or bed space, or the workload of the Commission. The Department of Corrections indicates the bill would have no fiscal effect on its operations.

Sincerely,



Shawn Sullivan,
Director of the Budget

cc: Ashley Michaelis, Judiciary
Brianna Landon, Corrections
Scott Schultz, Sentencing Commission