

January 20, 2017

The Honorable Russell Jennings, Chairperson
House Committee on Corrections and Juvenile Justice
Statehouse, Room 151-S
Topeka, Kansas 66612

Dear Representative Jennings:

SUBJECT: Fiscal Note for HB 2089 by House Committee on Corrections and Juvenile Justice

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2089 is respectfully submitted to your committee.

Under current law, it is a severity level six, nonperson felony for the crime of unlawfully tampering with electronic monitoring equipment. The bill would implement a tiered system of classification that is based upon the offender's relevant underlying conviction or case as follows:

1. When the underlying conviction is a felony, a violation would be a severity level eight, nonperson felony;
2. When the underlying conviction is a misdemeanor, a violation would be a class A nonperson misdemeanor; and
3. When a person is being electronically monitored as part of court-ordered supervision in a civil case, a violation would be a class A nonperson misdemeanor.

The Kansas Sentencing Commission estimates that passage of HB 2089 would reduce the need for prison beds in FY 2018 by four and reduce the need for prison beds by nine by FY 2027. The Department of Corrections states if four prison beds are reduced in FY 2018, expenditures would be reduced by \$27,448. Any fiscal effect associated with HB 2089 is not reflected in *The FY 2018 Governor's Budget Report*.

Sincerely,



Shawn Sullivan,
Director of the Budget

cc: Brianna Landon, Corrections
Ashley Michaelis, Judiciary
Scott Schultz, Sentencing Commission
Pat Scalia, Indigents Defense Services