

February 24, 2020

The Honorable Rick Wilborn, Chairperson
Senate Committee on Judiciary
Statehouse, Room 541C-E
Topeka, Kansas 66612

Dear Senator Wilborn:

SUBJECT: Fiscal Note for SB 413 by Senate Committee on Ways and Means

In accordance with KSA 75-3715a, the following fiscal note concerning SB 413 is respectfully submitted to your committee.

SB 413 would add a private correctional officer or employee who is engaged in their official duties to the definitions of assault of a law enforcement officer and battery against a law enforcement officer.

The Office of Judicial administration indicates that enactment of SB 413 could increase the number of cases filed in district courts because it would expand the crimes of assault of a law enforcement officer and battery against a law enforcement officer. The Office states that this could increase the time spent by district court judicial and nonjudicial personnel in processing, researching, and hearing cases. Since the crimes carry a misdemeanor penalty, the bill could also result in additional supervision of offenders by court services officers. The bill could also result in the collection of additional docket fees, supervision fees, and fines assessed in cases filed under the provision of the bill. However, a fiscal effect cannot be determined because the number of additional cases cannot be estimated.

The Kansas Sentencing Commission estimates that enactment of SB 413 would result in an increase of prison admissions, prison beds, and workload of the Commission. However, a fiscal effect cannot be determined. The current estimated available bed capacity is 9,916. Based upon the Commission's most recent ten-year projection contained in its *FY 2020 Adult Inmate Prison Population Projections* report, it is estimated that the year-end population for available capacity will be over capacity by 258 inmates in FY 2020 and 524 inmates in FY 2021. The Department of Corrections would house any additional inmates over the capacity limit in county jails or out-

of-state contract beds at a rate ranging from \$40 per day to \$74.76 per day. Any fiscal effect associated with SB 413 is not reflected in *The FY 2021 Governor's Budget Report*.

Sincerely,

A handwritten signature in black ink, appearing to read "L. L. Campbell". The signature is fluid and cursive, with a large initial "L" and a smaller "L" followed by "Campbell".

Larry L. Campbell
Director of the Budget

cc: Randy Bowman, Corrections
Mary Rinehart, Judiciary
Scott Schultz, Sentencing Commission