

## MEMORANDUM

**To:** Sheena Ward, Division of the Budget  
**From:** Scott M. Schultz, Executive Director  
**Date:** February 21, 2021  
**Re:** Prison Bed Impact Assessment, **HB 2374 – Authorizing the Kansas sentencing commission to change risk assessment cut-off levels for participation in the certified drug abuse treatment program.**

### IMPACT ASSESSMENT

- This bill **may** impact prison admissions, prison beds, or the workload of the Commission, but it cannot be determined at this time.

### SUMMARY OF THE BILL

**Section 1.** K.S.A. 2020 Supp. 21-6824(b)(2) and (c) are amended to remove language that requires the offender for certified drug treatment to be moderate or high risk as determined by the criminal risk-need assessment. It is replaced with language that offenders shall meet the criteria for participation in a drug abuse treatment program as determined by the Kansas sentencing commission.

**Section 2.** K.S.A. 2020 Supp. 75-5291(a)(2)(A) is amended to remove assessment risk language to allow the Kansas sentencing commission to set the appropriate risk levels.

### FINDINGS

- In FY 2019, **1,478** offenders were sentenced to mandatory drug treatment probation under 2003 SB 123.

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