

January 20, 2021

The Honorable Kellie Warren, Chairperson  
Senate Committee on Judiciary  
Statehouse, Room 441B-E  
Topeka, Kansas 66612

Dear Senator Warren:

**SUBJECT:** Fiscal Note for SB 4 by Joint Committee on Corrections and Juvenile Justice Oversight

In accordance with KSA 75-3715a, the following fiscal note concerning SB 4 is respectfully submitted to your committee.

SB 4 would make unlawfully tampering with electronic monitoring equipment a severity level 8, nonperson felony in the case of electronic monitoring equipment used in court-ordered supervision, or as a condition of post-release supervision, or parole for any felony. The bill would also make unlawfully tampering with electronic monitoring equipment a class A nonperson misdemeanor in the case of electronic monitoring equipment used in court-ordered supervision for any civil case.

The Kansas Sentencing Commission estimates that enactment of SB 4 would result in a decrease of nine adult prison beds needed in FY 2022. By FY 2031, ten fewer beds would be needed. The current estimated available bed capacity is 9,420 for males and 948 for females. 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 male capacity will be under capacity by 1,287 inmates in FY 2021 and 1,241 inmates in FY 2022. The Department of Corrections indicates that the reduction in prison population would not be sufficient to reduce current prison expenditures. The Department notes that the reduction would be beneficial towards avoiding future prison costs and would improve the ability to socially distance inmates to help mitigate the spread of the coronavirus in the facility, staff working at the facility, and inmates released into the community.

The Office of Judicial Administration indicates that enactment of SB 4 could result in additional offenders being supervised by court services officers, which could be absorbed within existing resources. Any fiscal effect associated with SB 4 is not reflected in *The FY 2022 Governor's Budget Report*.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam Proffitt", with a stylized flourish at the end.

Adam Proffitt  
Director of the Budget

cc: Randy Bowman, Corrections  
Debbie Thomas, Judiciary