

January 28, 2022

The Honorable Kellie Warren, Chairperson
Senate Committee on Judiciary
Statehouse, Room 346-S
Topeka, Kansas 66612

Dear Senator Warren:

SUBJECT: Fiscal Note for SB 366 by Senate Committee on Judiciary

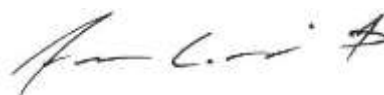
In accordance with KSA 75-3715a, the following fiscal note concerning SB 366 is respectfully submitted to your committee.

SB 366 would expand the definition for the crimes of “burglary” and “aggravated burglary.” The bill would add provisions for both crimes that would make it illegal, without authority, to enter or remain in a locked or secured portion of any dwelling, building, manufactured home, mobile home, tent, or other structure which is not a dwelling, with the intent to commit a felony, theft, or sexually motivated crime. For the crime of aggravated burglary, the bill would add a provision that would specify that aggravated burglary occurs when a human being is also present.

The Office of Judicial Administration states enactment of SB 366 could increase the number of cases filed in district court because it expands the crimes of burglary and aggravated burglary, which could result in more time spent by court employees and judges processing and deciding these cases. Since penalties for both crimes vary depending on severity, additional supervision of offenders could be required to be performed by court services officers. The Office estimates enactment of the bill could result in the collection of additional docket and supervision fees assessed in those cases filed under the bill’s provisions. According to the Office, a fiscal effect cannot be estimated.

The Kansas Sentencing Commission states the bill’s enactment could have an effect on prison admissions and beds; however, the Commission does not have enough information to estimate what that effect would be. Any fiscal effect associated with SB 366 is not reflected in *The FY 2023 Governor’s Budget Report*.

Sincerely,



Adam Proffitt
Director of the Budget

cc: Vicki Jacobsen, Judiciary
Scott Schultz, Sentencing Commission
Randy Bowman, Corrections