

February 7, 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 385 by Senator Warren, et al.

In accordance with KSA 75-3715a, the following fiscal note concerning SB 385 is respectfully submitted to your committee.

SB 385 would amend the Kansas Offender Registration Act by requiring registration as a sex offender for certain violations related to the crime of breach of privacy. If confined, the offender's duration of registration would be 15 years after the date of parole, discharge or release, whichever date is most recent. If not confined, the offender's duration of registration would be 15 years from the date of conviction.

The Office of Judicial Administration states enactment of SB 385 would have a negligible fiscal effect on Judicial Branch operations. The Kansas Bureau of Investigation, the Department of Corrections, and the Office of the Attorney General indicate the enactment of SB 385 would have not have a fiscal effect on the operations of each agency.

The Kansas Sentencing Commission estimates that enactment of SB 385 would result in an increase of two adult prison beds needed by the end of FY 2023 and six by the end of FY 2032. The current estimated available bed capacity is 9,428 for males and 936 for females. Based upon the Commission's most recent ten-year projection contained in its *FY 2022 Adult Inmate Prison Population Projections* report, it is estimated that the year-end population will total 7,782 male and 756 female inmates in FY 2022 and 7,736 male and 730 female inmates in FY 2023. Any fiscal effect associated with SB 385 is not reflected in *The FY 2023 Governor's Budget Report*.

The Kansas Association of Counties states enactment of the bill would increase administrative costs on counties because of additional offenders that would be required to register.

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: Vicki Jacobsen, Judiciary
Scott Schultz, Sentencing Commission
Randy Bowman, Corrections
Paul Weisgerber, KBI
Willie Prescott, Office of the Attorney General
Jay Hall, Association of Counties
Wendi Stark, League of Municipalities