

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 408 by Senate Committee on Judiciary

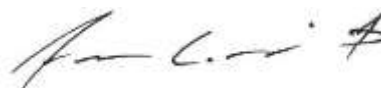
In accordance with KSA 75-3715a, the following fiscal note concerning SB 408 is respectfully submitted to your committee.

SB 408 would make theft of mail with a value of less than \$1,500 from three separate locations within a period of 72 hours as part of the same act or transaction or in two or more acts of transactions connected together or constituting parts of a common scheme or course of conduct a severity level 9, nonperson felony.

The Kansas Sentencing Commission estimates that enactment of SB 408 could have an impact on prison admissions and bed space, but that this effect cannot be determined at this time. 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. The Department of Corrections indicates that enactment of the bill would have no fiscal effect.

The Office of Judicial Administration indicates enactment of the bill could have a fiscal effect on expenditures of the Judicial Branch because the bill increases the penalty for mail theft. This could require court services officers to supervise such offenders for a longer period of time. However, a fiscal effect cannot be estimated because the number of potential cases is unknown. Any fiscal effect associated with SB 408 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