

February 24, 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 473 by Senator Straub

In accordance with KSA 75-3715a, the following fiscal note concerning SB 473 is respectfully submitted to your committee.

SB 473 would make escape from custody upon commitment to a treatment facility as a sexually violent predator a severity level six, nonperson felony. The bill would also make aiding escape a severity level eight, person felony if the person who receives such aid is committed to a treatment facility as a sexually violent predator. The bill would make aiding escape a severity level four, person felony if the person aiding an escape is an employee or volunteer of a treatment facility for sexually violent predators and the person who receives such aid is committed to a treatment facility as a sexually violent predator.

The Kansas Sentencing Commission estimates that enactment of SB 473 would have a negligible effect on prison admissions and bed space. 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 reduce the amount of supervision of offenders required to be performed by court services officers because it increases criminal penalties. As a result, the bill could decrease supervision fee revenues in cases

filed under the provisions of the bill. However, a fiscal effect cannot be determined because the number of additional cases cannot be estimated. Any fiscal effect associated with SB 473 is not reflected in *The FY 2023 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: Scott Schultz, Sentencing Commission
Randy Bowman, Corrections
Vicki Jacobsen, Judiciary