

February 23, 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 534 by Senate Committee on Federal and State Affairs

In accordance with KSA 75-3715a, the following fiscal note concerning SB 534 is respectfully submitted to your committee.

SB 534 would enact the Reduce Armed Violence Act. The bill would make the sentence for a violation of criminal possession of a weapon by a convicted felon presumptive imprisonment that would be served consecutively to any other term of imprisonment imposed if the weapon the offender possesses was a firearm and was used during the commission of a violent felony. The bill would specify that the sentence imposed would not be considered a departure from the sentencing grid, would not be subject to appeal, and that no other sentence would be permitted. The bill lists crimes that would be considered violent felonies.

Estimated State Fiscal Effect				
	FY 2022 SGF	FY 2022 All Funds	FY 2023 SGF	FY 2023 All Funds
Revenue	--	--	--	--
Expenditure	--	--	\$104,058	\$104,058
FTE Pos.	--	--	--	--

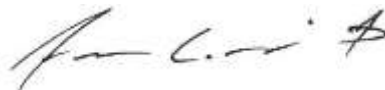
The Kansas Sentencing Commission estimates that enactment of SB 534 would result in an increase of 43 adult prison beds needed by the end of FY 2023. By the end of FY 2032, 215 additional beds would be needed. The current estimated available bed capacity is 9,428 for males and 936 for females. Based 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 increase expenditures to operate facilities in Kansas related to food, healthcare, incentive pay, bedding, postage, and other supplies. The Department estimates the bill would increase expenditures by \$6.63 a day for each additional prison bed, resulting in a total annual increased cost of \$104,058 (\$6.63 per day x 43 beds x 365 days) from the State General Fund in FY 2023. The Department notes that the additional prisoners would not increase staffing expenditures but would put additional pressure on staffing that is currently below necessary levels.

The Office of Judicial Administration indicates that enactment of the bill would have a negligible fiscal effect that could be absorbed within existing resources. Any fiscal effect associated with SB 534 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: Randy Bowman, Corrections  
Vicki Jacobsen, Judiciary  
Scott Schultz, Sentencing Commission