

January 21, 2021

The Honorable Kellie Warren, Chairperson
Senate Committee on Judiciary
Statehouse, Room 441B-E
Topeka, Kansas 66612

Dear Senator Warren:

SUBJECT: Fiscal Note for SB 5 by Joint Committee on Corrections and Juvenile Justice Oversight

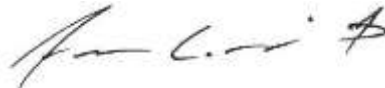
In accordance with KSA 75-3715a, the following fiscal note concerning SB 5 is respectfully submitted to your committee.

SB 5 would amend the loss limitation for the severity level designation of the following crimes: theft of property lost, mislaid, or delivered by mistake; criminal damage to property; giving a worthless check; counterfeiting; criminal use of a financial card; impairing a security interest; Medicaid fraud; official misconduct; presenting a false claim; misuse of public funds; and criminal desecration. For each crime, the bill would change the severity level classification limitations currently set at \$1,000 to \$1,500.

According to the Office of the Judicial Administration, enactment of SB 5 would increase the felony limitation from \$1,000 to \$1,500. The crimes in the bill that fall within that range would be misdemeanor convictions and would have additional cases supervised by court service officers; however, the Office indicates the costs of the additional cases could be absorbed within existing resources. The Office states that enactment of the bill would result in decreased revenues to the Correctional Supervision Fund and the State General Fund. Currently, the assessed probation/correctional fee is \$60 for misdemeanors and \$120 for felonies. The fees are split with 41.67 percent to the State General Fund and 58.33 percent to the Correctional Supervision Fund. Enactment of the bill would result in decreased revenues as the assessed fee would drop from \$120 to \$60.

The Kansas Sentencing Commission estimates enactment of SB 5 would reduce two prison beds in FY 2022 and in each year during the ten-year forecasting period. The Department of Corrections states that reducing prison beds would avoid future prison costs. Any fiscal effect associated with SB 5 is not reflected in *The FY 2022 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
Debbie Thomas, Judiciary
Willie Prescott, Office of the Attorney General
Wendi Stark, League of Municipalities
Jay Hall, Association of Counties