

February 1, 2024

The Honorable Kellie Warren, Chairperson
Senate Committee on Judiciary
300 SW 10th Avenue, Room 346-S
Topeka, Kansas 66612

Dear Senator Warren:

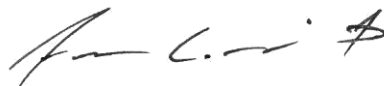
SUBJECT: Fiscal Note for SB 380 by Senate Committee on Judiciary

In accordance with KSA 75-3715a, the following fiscal note concerning SB 380 is respectfully submitted to your committee.

SB 380 would amend a special sentencing rule for criminal discharge of a firearm when another person is present. Under current law, the criminal discharge of a firearm in the presence of another person carries a mandatory 60 months of imprisonment in addition to the sentence prescribed in Kansas sentencing guidelines, and a mandatory 120 months of additional imprisonment if the violation occurs in the presence of a person under the age of 14. The bill would substitute the word “and” with “or” to clarify that these special penalties are not additive.

The Department of Corrections indicates that enactment of the bill may increase agency operating expenditures by a negligible amount. The Sentencing Commission indicates that the bill may increase prison admissions and reduce bed space, but this effect is likely to be small. The Judiciary indicates that the bill would not have a fiscal effect on its operations. Any fiscal effect associated with SB 380 is not reflected in *The FY 2025 Governor’s Budget Report*.

Sincerely,



Adam C. Proffitt
Director of the Budget

cc: Trisha Morrow, Judiciary
Scott Schultz, Kansas Sentencing Commission
Jennifer King, Department of Corrections