

SESSION OF 2009

**SUPPLEMENTAL NOTE ON  
SUBSTITUTE FOR HOUSE BILL NO. 2340**

As Amended by House Committee of the Whole

**Brief\***

Sub. for HB 2340 would amend current law to require the Kansas Parole Board (KPB) to make available to members of the Senate Committee on Judiciary, the House Committee on Judiciary, the House Committee on Corrections and Juvenile Justice, and the Joint Committee on Corrections and Juvenile Justice documents, records, and reports concerning factors and rationale used to determine if parole would be granted or denied to inmates between July 1, 2008, through June 30, 2009. The KPB also would be required to provide a summary statement listing the factors and rationale used to grant or deny parole to these inmates.

The bill would require the documents, records, and reports be received while the Committee is in executive session. The documents, records, and reports would be confidential and not subject to disclosure or compulsory process seeking disclosure.

**Background**

The proponent of the bill, as introduced, who testified at the House Committee was Representative Mike O'Neal, Speaker, Kansas House of Representatives.

The opponents of the bill, as introduced, who testified at the House Committee were Patti Biggs, Kansas Parole Board; Roger Werholtz, Secretary, Kansas Department of Corrections; Chris Biggs, Commissioner, Kansas Securities Commission;

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\*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

Barry Wilkerson, Kansas County and District Attorneys Association; and Donna Heintz, private citizen.

The House Committee of the Whole amended the bill to require the Parole Board to make available certain documents, records, and reports to the House Committee on Judiciary.

According to the fiscal note on the bill, as introduced, for FY 2010, the Governor's recommendation for the Kansas Parole Board is \$488,386 from the State General Fund, which includes salary and wage costs of \$431,288 for the three members and operating expenses of \$57,098. Under current law, the annual salary of the chairperson of the Board is equal to the annual salary paid to a chief district judge, and the annual salaries of the other two members are \$2,465 less than the chairperson's salary. If it is assumed that the 2009 Legislature approves the Governor's budget recommendation, then \$488,386 plus any amount reappropriated from FY 2009 to FY 2010 would be transferred to the budget of the Department of Corrections. According to DOC, the bill would require \$330,098 in FY 2010 from the State General Fund, which would include \$273,000 for salary and wages of three positions and the same operating expenses of \$57,098. As a result, passage of HB 2340 would create salary and wages savings of \$158,288 (\$431,288 - \$273,000) and eliminate 3.00 FTE positions.