

SESSION OF 2010

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2604

As Amended by House Committee on
Corrections and Juvenile Justice

Brief*

HB 2604, as amended, would authorize a sentencing court to assign defendants, convicted of misdemeanors or felonies that require imprisonment in the county jail rather than a state correctional facility, to a work release program provided that the defendant return to confinement in the county jail at the end of each day while in the work release program. The bill would clarify that the authority of a sentencing court to order a defendant to a work release program does not include work release programs at state correctional facilities under the control of the Secretary of Corrections.

Background

The proponents of the bill, as introduced, who provided testimony at the House Committee hearing were representatives of the Johnson County Sheriff's Office, the Sedgwick County Sheriff's Office, the Johnson County Department of Corrections, and the Public Safety Director for Sedgwick County.

The Secretary of the Kansas Department of Corrections provided neutral testimony at the House Committee hearing to ask that the bill clarify that the authority of a sentencing court to order a defendant to a work release program does not include work release programs at state correctional facilities under the control of the Secretary of Corrections.

*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>

There were no opponents of the bill who testified at the House Committee.

The House Committee amended the bill to clarify that a court may assign defendants convicted of misdemeanors or felonies that require imprisonment in the county jail rather than a state correctional facility to a work release program. Additionally, the House Committee amended the bill, as requested by the Secretary of Corrections, to clarify that the authority of a sentencing court to order a defendant to a work release program does not include work release programs at state correctional facilities under the control of the Secretary of Corrections.

According to the fiscal note on the bill, as introduced, the Kansas Association of Counties states, if it is assumed that the current capacity of work release programs would not be exceeded, there would be no requirement for additional staff, and thus, the passage of HB 2604 would have no fiscal effect for counties.