

January 31, 2024

The Honorable Stephen Owens, Chairperson
House Committee on Corrections and Juvenile Justice
300 SW 10th Avenue, Room 546-S
Topeka, Kansas 66612

Dear Representative Owens:

SUBJECT: Fiscal Note for HB 2601 by House Committee on Corrections and Juvenile Justice

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2601 is respectfully submitted to your committee.

HB 2601 would establish additional probation requirements that would apply to a person who is on their third conviction for driving under the influence (DUI) if the person has a prior conviction which occurred within the preceding ten years, or any person who is on their fourth DUI conviction. If the person is granted probation, the court would be required to use a risk assessment tool from the Sentencing Commission to determine whether the person should be supervised by Community Corrections or court services. During this term of probation supervision, the person would be required to participate in a multidisciplinary model of services for substance use disorders that is facilitated by a Department of Aging and Disability Services designated care coordination agency. This model of services would include assessment and, if appropriate, referral to community-based substance use disorder treatment including recovery management and mental health counseling.

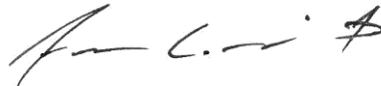
The Department of Corrections indicates that the bill would have a fiscal effect on its operations; however, a fiscal effect cannot be estimated. The Department has entered into a memorandum of agreement with the Department for Aging and Disability Services to provide reimbursement for appropriately documented services rendered to third-time misdemeanor DUI offenders. This memorandum originally included services provided to Department of Corrections offenders serving the post-release portion of their supervision. As Department of Corrections offenders would not be covered with the bill or current statute, payment for these services would likely be from another agency.

The Department for Aging and Disability Services indicates that the bill may increase agency expenditures depending on the number of offenders requiring services. However, a fiscal effect cannot be estimated. The Judiciary indicates that enactment of the bill would not have a

fiscal effect on its operations. Any fiscal effect associated with HB 2601 is not reflected in *The FY 2025 Governor's Budget Report*.

The Kansas Association of Counties indicates that the bill could increase county government expenditures on Community Corrections services; however a fiscal effect cannot be estimated.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam C. Proffitt", with a stylized flourish at the end.

Adam C. Proffitt
Director of the Budget

cc: Trisha Morrow, Judiciary
Jennifer King, Department of Corrections
Leigh Keck, Department for Aging & Disability Services
Jay Hall, Kansas Association of Counties