

February 6, 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:

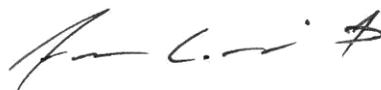
SUBJECT: Fiscal Note for HB 2639 by House Committee on Corrections and Juvenile Justice

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2639 is respectfully submitted to your committee.

HB 2639 would prohibit the use of restraints on juvenile defendants during legal hearings unless the court finds restraints to be necessary. The court would be allowed to authorize the use of restraints if they are needed to prevent physical harm to the juvenile or another person during the hearing, if there is a well-founded belief that the juvenile is a substantial flight risk, or if the juvenile has a recent history of disruptive behavior that has placed others at risk of substantial harm. In these cases, the court would be required to make a written recommendation for the least restrictive type of restraints necessary. The court's recommendation would be made part of the official record. Any type of court-ordered restraint would be required to allow for sufficient movement of the juvenile's hands so that the juvenile is able to read and handle documents necessary to the hearing. Under no circumstances would a juvenile be allowed to be restrained to a wall, the floor, furniture, or another juvenile during the hearing.

The Judiciary indicates that the bill may increase agency operating expenditures as it requires the court to issue additional findings in certain situations; however, an exact estimate of this effect cannot be determined. The Department of Corrections indicates that enactment of the bill would have no fiscal effect on its operations. Any fiscal effect associated with HB 2639 is not reflected in *The FY 2025 Governor's Budget Report*.

Sincerely,



Adam C. Proffitt
Director of the Budget

cc: Trisha Morrow, Judiciary
Jennifer King, Department of Corrections