



January 27, 2026

The Honorable Susan Humphries, Chairperson
House Committee on Judiciary
300 SW 10th Avenue, Room 582-N
Topeka, Kansas 66612

Dear Representative Humphries:

SUBJECT: Fiscal Note for HB 2444 by Representative McNorton, et al.

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2444 is respectfully submitted to your committee.

HB 2444 would make several changes to criminal sentencing and pretrial release procedures. First, the bill would provide that when consecutive sentences are imposed, jail credit would apply only once against the aggregated consecutive term, rather than to each individual sentence. This provision would apply to all sentences, whether pronounced before, on, or after July 1, 2026, and to all computations of jail credit by the Department of Corrections and the courts.

Second, the bill would create a special sentencing rule providing that the sentence for a felony offense committed while an offender was on probation, assignment to a community correctional services program, suspended sentence, parole, or post-release supervision for a prior felony, when the offender's criminal history score is A, B, C, D, or E, would be presumptive imprisonment regardless of the sentencing grid block for the current felony. The sentence would be served consecutively to any other term of imprisonment imposed in the prior felony case.

Third, the bill would prohibit sentencing judges from imposing downward dispositional or durational departure sentences when the offender committed the current felony while on probation, community corrections, suspended sentence, parole, or post-release supervision for a prior felony.

Fourth, the bill would require secured minimum appearance bonds for defendants who commit a new felony while on probation, parole, post-release supervision, or bond for a prior felony offense when the defendant's criminal history score is A, B, C, D, or E. The minimum bond amounts would range from \$100,000 to \$500,000 depending on the severity level of the

charged offense. The court could set a lower bond only upon written, case-specific findings that a lesser bond would assure community safety and the defendant's appearance, and that application of the minimum would be excessive under the circumstances.

Estimated State Fiscal Effect			
	FY 2026	FY 2027	FY 2028
Expenditures			
State General Fund	--	\$1,492,247	\$1,603,437
Fee Fund(s)	--	--	--
Federal Fund	--	--	--
Total Expenditures	--	\$1,492,247	\$1,603,437
Revenues			
State General Fund	--	--	--
Fee Fund(s)	--	--	--
Federal Fund	--	--	--
Total Revenues	--	--	--
FTE Positions	--	6.00	6.00

The Sentencing Commission estimates that enactment of HB 2444 would result in an increase of 106 adult prison beds needed by the end of FY 2027. By the end of FY 2036, 225 additional beds would be needed. The current estimated available bed capacity is 9,924 for males and 968 for females. Based upon the Commission's most recent ten-year projection contained in its *FY 2026 Adult Inmate Prison Population Projections* report, it is estimated that the year-end population would total 9,176 male and 924 female inmates in FY 2026 and 9,485 male and 953 female inmates in FY 2027. The Commission notes that although changes to jail credit calculations for consecutive sentences and the minimum bond requirements would likely increase prison bed space needs, the impact of those provisions cannot be estimated at this time.

The Department of Corrections estimates that enactment of the bill would increase State General Fund expenditures by \$612,957 in FY 2027 and by \$723,437 in FY 2028. These estimates are based on the Kansas Sentencing Commission's bed impact projections and a marginal cost of \$5,729 per inmate in FY 2027. The marginal cost represents the cost to add one resident to the correctional system, including variables like postage, incentive pay, and food service, but excludes administrative overhead and housing unit staffing. Assuming 3.0 percent inflation, the marginal cost would increase to \$5,985 per inmate in FY 2028. The Department notes that its FY 2026 Population Projections indicate the resident population would exceed capacity by FY 2029, and capacity expansion options are included in the Department's five-year capital improvements plan.

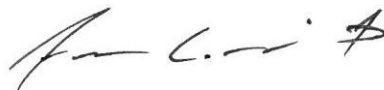
The Board of Indigents' Defense Services (BIDS) estimates that enactment of the bill would increase State General Fund expenditures by \$811,290 to \$880,000 in FY 2027 and subsequent fiscal years. BIDS indicates that the presumptive imprisonment provision would

significantly increase its workload because more defendants would choose to take their cases to trial rather than accept plea agreements. The range in the estimate reflects whether cases are handled by public defenders at an average rate of \$83 per hour or by private assigned counsel at an average rate of \$125 per hour. BIDS estimates it would need 3.00 attorney positions and 3.00 support staff positions to handle the increased caseload, with an additional \$200,000 to \$300,000 annually for related services like transcript fees, interpreters, and expert costs.

The Judiciary indicates that enactment of the bill could have a fiscal effect on its operations. The bill's provisions would require the court to make findings and determinations, and there could be an increase in cases as defendants challenge the new sentencing computation rules and their retroactive application. This could increase the time spent by district court judicial and nonjudicial personnel in processing, researching, and hearing cases. The Judiciary states that a precise fiscal effect cannot be determined until the Judicial Branch has had an opportunity to operate under the bill's provisions. Enactment of the bill could result in the collection of docket fees, which would be deposited in the State General Fund. Any fiscal effect associated with HB 2444 is not reflected in *The FY 2027 Governor's Budget Report*.

The League of Kansas Municipalities indicates that enactment of the bill would increase city government expenditures to fulfill the requirement for municipal courts to develop and implement new procedures related to sentencing guidelines; however, a precise fiscal effect cannot be determined. The Kansas Association of Counties indicates that enactment of the bill would increase county government expenditures because it would increase incarceration time and potentially the number of people held in county jails; however, a precise fiscal effect cannot be determined.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam C. Proffitt", followed by a stylized flourish or symbol.

Adam C. Proffitt
Director of the Budget

cc: Jennifer King, Department of Corrections
Scott Schultz, Kansas Sentencing Commission
Trisha Morrow, Judiciary
Jay Hall, Kansas Association of Counties
Wendi Stark, League of Kansas Municipalities
Ann Sagan, Board of Indigents Defense Services