

January 31, 2017

The Honorable Russell Jennings, Chairperson
House Committee on Corrections and Juvenile Justice
Statehouse, Room 151-S
Topeka, Kansas 66612

Dear Representative Jennings:

SUBJECT: Fiscal Note for HB 2087 by House Committee on Corrections and Juvenile Justice

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2087 is respectfully submitted to your committee.

HB 2087 would amend the 2003 SB 123 Substance Abuse Treatment Program by expanding court ordered placement of offenders in a Certified Drug Abuse Treatment Program to certain persons who enter into a diversion agreement in lieu of further criminal proceedings. Those selected would be limited to persons charged with felony possession of a controlled substance under KSA 2016 Supp. 21-5706, when the offense falls into specified severity levels. The bill would define “divertee” to mean a person who has entered into a diversion agreement under KSA 22-2909. Divertees committed to the Treatment Program would be supervised by Community Corrections Program of the Kansas Department of Corrections and those not committed to the Treatment Program would be supervised by Community Corrections or Court Services, depending on the outcome of the Criminal Risk Assessment.

The Office of Judicial Administration indicates HB 2087 could increase Judicial Branch expenditures beginning in FY 2018 by requiring more offenders to be supervised by Court Services Officers. The increased expenditures would include costs for additional Level of Service Inventory-Revised (LSI-R) assessments; more time spent by Court Services Officers administering LSI-R assessments; and, possibly, the hiring of more Court Services Officers to assume the added caseload. However, a precise estimate of additional expenditures by the Judicial Branch that may be required under the provisions of this bill cannot be provided. The Kansas Sentencing Commission indicates that HB 2087 could have a fiscal effect on prison admissions and bed space as well as the journal entry workload of the Commission, but a precise

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estimate cannot be determined at this time. Any fiscal effect associated with HB 2087 is not reflected in *The FY 2018 Governor's Budget Report*.

Sincerely,

A handwritten signature in black ink, appearing to read "Shawn Sullivan", with a long horizontal line extending to the right.

Shawn Sullivan,
Director of the Budget

cc: Brianna Landon, Corrections
Scott Schultz, Sentencing Commission
Ashley Michaelis, Judiciary