

January 31, 2017

The Honorable Rick Wilborn, Chairperson
Senate Committee on Judiciary
Statehouse, Room 541-E
Topeka, Kansas 66612

Dear Senator Wilborn:

SUBJECT: Fiscal Note for SB 42 by Senate Committee on Judiciary

In accordance with KSA 75-3715a, the following fiscal note concerning SB 42 is respectfully submitted to your committee.

SB 42 would clarify that the mandatory minimum term of imprisonment would not apply for certain crimes, if based on criminal history the defendant would be subject to presumptive imprisonment for a period exceeding the mandatory minimum. This provision would apply to the following crimes:

1. Attempt to commit capital murder;
2. First degree murder in the commission of, attempt to commit, or flight from an inherently dangerous felony;
3. First degree premeditated murder committed on or after July 1, 2014;
4. Any crimes that require sentencing under KSA 21-6623; and,
5. All crimes identified in KSA 21-6627(a).

Except for those crimes identified in KSA 21-6627(a), a defendant would not be eligible for parole prior to serving this alternative mandatory minimum sentence, and the term of imprisonment could not be reduced by the application of good time credits.

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The Kansas Sentencing Commission indicates SB 42 would have no fiscal effect on prison admissions or bed space as the sentence lengths are beyond the ten-year forecasting period. The Office of Judicial Administration indicates the bill would have no fiscal effect on the revenues or expenditures of the Judicial Branch.

Sincerely,

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

Shawn Sullivan,
Director of the Budget

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