

February 15, 2023

The Honorable Kellie Warren, Chairperson
Senate Committee on Judiciary
300 SW 10th Avenue, Room 346-S
Topeka, Kansas 66612

Dear Senator Warren:

SUBJECT: Fiscal Note for SB 228 by Senate Committee on Judiciary

In accordance with KSA 75-3715a, the following fiscal note concerning SB 228 is respectfully submitted to your committee.

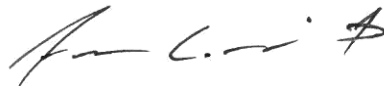
SB 228 would amend several statutes related to county jails. The bill would require every county to provide jail services at the county's expense instead of requiring a jail at every county seat. The bill would allow a sheriff or a sheriff's deputy to be responsible for the jail and to provide separate rooms for each sex and supply proper food, drink, and medical care for prisoners. Sheriffs would be allowed to provide prisoner calendars electronically to judges under the bill. Sheriffs would be required to endorse, file, and safely keep in paper or electronic form all documents related to a prisoner's commitment to or release from the jail and to provide those records to successors. The bill would permit a district court judge of a county in which there is insufficient jail space to order the inmate be committed to the nearest county jail that has space and means to care for the inmate as the sheriff or jail keeper determine. The sheriff of the county that commits the inmate to jail would be responsible for the inmate's transportation.

The bill would allow the demolition or repurposing of an abandoned jail as determined by the county commission to be in the best interests of the county. Counties with insufficient jail space would be allowed to contract with any city or county in the state that has jail space, with the sheriff of the county ordering commitment being responsible for transportation of the inmate. No jail would be required to receive a prisoner until the prisoner has been examined by a medical care facility or healthcare provider if the prisoner appears to be unconscious, suffering from serious illness or injury, or seriously impaired by alcohol or drugs. The prisoner would be liable for the costs of the medical examination and treatment.

The Office of Judicial Administration indicates enactment of the bill would have a negligible fiscal effect on Judicial Branch operations. The Department of Corrections states the bill would not have a fiscal effect on agency operations. Any fiscal effect associated with SB 228 is not reflected in *The FY 2024 Governor's Budget Report*.

The Kansas Association of Counties states that the bill could increase expenditures for counties to provide transportation and jail services. However, a precise fiscal effect cannot be estimated. The League of Kansas Municipalities indicates enactment of the bill would not have a fiscal effect on cities.

Sincerely,

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

Adam Proffitt
Director of the Budget

cc: Randy Bowman, Department of Corrections
Vicki Jacobsen, Judiciary
Wendi Stark, League of Kansas Municipalities
Jay Hall, Kansas Association of Counties