

March 21, 2011

The Honorable Tim Owens, Chairperson
Senate Committee on Judiciary
Statehouse, Room 559-S
Topeka, Kansas 66612

Dear Senator Owens:

SUBJECT: Fiscal Note for SB 231 by Senate Committee on Federal and State Affairs

In accordance with KSA 75-3715a, the following fiscal note concerning SB 231 is respectfully submitted to your committee.

SB 231 would abolish the Kansas Parole Board as it exists in current law and on July 1, 2011, establish the new Kansas Parole Board. All duties, functions, and powers of the existing Kansas Parole Board would be transferred to the new Board except for revocation hearings and determinations by the Prisoner Review Board, which would be a newly established organization under the Department of Corrections. The new Kansas Parole Board would consist of three members appointed by the Governor and confirmed by the Senate. Any current member of the Kansas Parole Board whose term expires after June 30, 2011, may elect to serve the remainder of his or her term provided that the Governor has been notified prior to June 15, 2011. Each member of the new Board would receive an annual salary of \$75,000. Under existing law, the chairperson receives a salary that is equal to the salary of a district judge designated as chief judge and the other two members receive salaries that are \$2,465 less than the chairperson's salary.

The Prisoner Review Board would consist of four members appointed by the Secretary of Corrections who must also be existing Department employees. The Prisoner Review Board would be charged with reviewing and determining all cases concerning the revocation of an offender's parole, conditional release or post-release supervision; however, the new Kansas Parole Board would have authority over certain cases in which the Prisoner Review Board has made a request to the new Kansas Parole Board to hear the case or has deferred the case to the new Board.

Estimated State Fiscal Effect				
	FY 2011 SGF	FY 2011 All Funds	FY 2012 SGF	FY 2012 All Funds
Revenue	--	--	--	--
Expenditure	--	--	\$358,969	\$358,969
FTE Pos.	--	--	--	3.00

The Honorable Tim Owens, Chairperson

March 21, 2011

Page 2—Fisc_Note_Sb231

According to *The FY 2012 Governor's Budget Report*, it is recommended that for FY 2012 the Kansas Parole Board be abolished and that a Prisoner Review Board be created within the Department of Corrections. This recommendation is embodied in Executive Reorganization Order No. 34 (ERO 34), which is currently under consideration by the Legislature. As a result of the Governor's recommendation, no funds or positions were included for the Kansas Parole Board in FY 2012. If it is assumed that ERO 34 is disapproved and SB 231 is enacted, the Kansas Parole Board estimates \$358,969 from the State General Fund and 3.00 FTE positions would be required in FY 2012. Actual expenditures for the Board were \$496,459 in FY 2010, which included \$430,937 for salaries and wages and \$66,164 for other operating expenditures. Using the new salary rate of \$75,000 for each existing board member, the new FY 2012 Parole Board budget would include approximately \$288,530 in salaries and wages plus \$70,439 for other operating expenditures. Increases for building rent, travel, vehicle maintenance, and other overhead costs are accounted for in the FY 2012 estimate.

Because SB 231 requires the Department of Corrections to use existing staff for the Prisoner Review Board, the Department indicates that any fiscal effect resulting from the passage of the bill would be absorbed within current resources. Any fiscal effect associated with SB 231 is not reflected in *The FY 2012 Governor's Budget Report*.

Sincerely,

A handwritten signature in black ink, appearing to read "Steven J. Anderson", written in a cursive style.

Steven J. Anderson, CPA, MBA
Director of the Budget

cc: Marie McNeal, Parole Board
Jeremy Barclay, Corrections