

January 18, 2017

The Honorable Blaine Finch, Chairperson
House Committee on Judiciary
Statehouse, Room 519-N
Topeka, Kansas 66612

Dear Representative Finch:

SUBJECT: Fiscal Note for HB 2034 by House Committee on Judiciary

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2034 is respectfully submitted to your committee.

HB 2034 would add the act of strangulation to the crime of aggravated battery. If the crime results in great bodily harm to or disfigurement of another person, the penalty would be a severity level four, person felony. If the crime is committed in a rude, insulting, or angry manner, the penalty would be a severity level seven, person felony.

According to the Office of Judicial Administration, HB 2034 could result in more trials in the district courts and more appeals in appellate courts, which could cause judicial and non-judicial staff to spend more time processing, researching, and hearing cases. The bill could also result in the collection of docket fees from those cases filed under the provisions of HB 2034. However, it is not possible to predict the number of additional court cases that would arise or how complex and time-consuming they would be. Therefore, a precise fiscal effect cannot be determined.

The Kansas Sentencing Commission estimates that enactment of HB 2034 would result in an increase of one to five adult prison beds needed in FY 2018. By FY 2027, an additional five to 27 beds would be needed. Based on a contract rate of \$40 per day, it could cost the Department of Corrections an additional \$14,600 to \$73,000 in FY 2018 and an additional \$29,200 to \$146,000 in FY 2019 for contract jail beds. These additional costs would be from the

The Honorable Blaine Finch, Chairperson

January 18, 2017

Page 2—HB 2034

State General Fund. Any fiscal effect associated with HB 2034 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 horizontal line extending to the right.

Shawn Sullivan,
Director of the Budget

cc: Pat Scalia, Indigents Defense Services
Ashley Michaelis, Judiciary
Brianna Landon, Corrections
Scott Schultz, Sentencing Commission