

January 22, 2020

The Honorable Fred Patton, Chairperson
House Committee on Judiciary
Statehouse, Room 519C-N
Topeka, Kansas 66612

Dear Representative Patton:

SUBJECT: Fiscal Note for HB 2448 by House Committee on Judiciary

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2448 is respectfully submitted to your committee.

HB 2448, as introduced, would make operating a stolen motor vehicle while willfully failing or refusing to bring such vehicle to a stop a severity level nine, person felony. The bill would require any term of confinement for such violations to run consecutive to any other confinement ordered due to violations of the bill. The bill would also make theft of a motor vehicle that is valued at less than \$1,500 a level ten, nonperson felony. Finally, the bill would make fleeing or attempting to elude a police officer prima facie evidence of intent to permanently deprive the owner or lessor of a motor vehicle.

The Sentencing Commission indicates that enactment of the bill could have an effect on prison admissions, prison bed space, and the workload of the agency because it would make all convictions for theft of a vehicle a felony regardless of the value. However, the fiscal effect cannot be determined because the Kansas Bureau of Investigation and the Sentencing Commission databases do not record the value of stolen vehicles.

The Department of Correction indicates that the enactment of the bill could result in an increase in the number of inmates in the correctional system. Due to capacity issues, the Department indicates additional inmates would be housed in county jails or out-of-state contract beds, depending on the custody level and gender. The Department states the cost to house an inmate in a contract bed ranges from \$40.00 per day to \$74.76 per day. However, the fiscal effect cannot be determined because the additional number of beds needed cannot be estimated.

The Office of Judicial Administration indicates that the enactment of the bill could increase the number of cases filed in district court because it adds new crimes. This could increase the time spent by district court judicial and nonjudicial personnel in processing, researching, and hearing cases. Because offenders who commit these new crimes could be sentenced to probation, the bill could also increase the amount of supervision of offenders required to be performed by court services officers. The bill could also result in an increase in revenue due to additional collections of docket fees, supervision fees, and fines assessed in cases filed under the provisions of the bill. However, a fiscal effect cannot be determined. Any fiscal effect associated with HB 2448 is not reflected in *The FY 2021 Governor's Budget Report*.

Sincerely,

A handwritten signature in black ink that reads "L. L. Campbell". The signature is written in a cursive style with a large, sweeping initial "L".

Larry L. Campbell
Director of the Budget

cc: Mary Rinehart, Judiciary
Scott Schultz, Sentencing Commission
Randy Bowman, Corrections