

HOUSE BILL No. 2028

By Joint Committee on Corrections and Juvenile Justice Oversight

1-14

1 AN ACT concerning the department of corrections; evidence-based
2 programs account; authorized uses; amending K.S.A. 2018 Supp. 75-
3 52,164 and repealing the existing section.

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5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. K.S.A. 2018 Supp. 75-52,164 is hereby amended to read as
7 follows: 75-52,164. (a) There is hereby established in the state treasury the
8 evidence-based programs account of the state general fund, which shall be
9 administered by the department of corrections. All expenditures from the
10 evidence-based programs account of the state general fund shall be for the
11 development and implementation of evidence-based community programs
12 and practices for juvenile offenders, juveniles experiencing mental health
13 crisis and their families by community supervision offices, including, but
14 not limited to, juvenile intake and assessment, court services, community
15 corrections, *transportation of juveniles to evidence-based community*
16 *programs, electronic monitoring of juveniles* and juvenile crisis
17 intervention centers. All expenditures from the evidence-based programs
18 account of the state general fund shall be made in accordance with
19 appropriation acts upon warrants of the director of accounts and reports
20 issued pursuant to vouchers approved by the secretary of corrections or the
21 secretary's designee.

22 (b) At least annually, throughout the year, the secretary of corrections
23 shall determine and certify to the director of accounts and reports the
24 amount in each account of the state general fund of a state agency that has
25 been determined by the secretary to be actual or projected cost savings as
26 a result of cost avoidance resulting from decreased reliance on incarceration
27 in the juvenile correctional facility and placement in youth residential
28 centers. The baseline shall be calculated on the cost of incarceration and
29 placement in fiscal year 2015.

30 (c) Upon receipt of a certification pursuant to subsection (b), the
31 director of accounts and reports shall transfer the amount certified
32 pursuant to subsection (b) from each account of the state general fund of a
33 state agency that has been determined by the secretary of corrections to be
34 actual or projected cost savings to the evidence-based programs account of
35 the state general fund.

36 (d) Prioritization of evidence-based programs account of the state

1 general fund moneys will be given to regions that demonstrate a high rate
2 of out-of-home placement of juvenile offenders per capita that have few
3 existing community-based alternatives.

4 (e) During fiscal years 2017 and 2018, the secretary of corrections
5 shall transfer an amount not to exceed \$8,000,000 from appropriated
6 department of corrections moneys from the state general fund or any
7 available special revenue fund or funds that are budgeted for the purposes
8 of facilitating the development and implementation of new community
9 placements in conjunction with the reduction in out-of-home placements.

10 (f) The evidence-based programs account of the state general fund
11 and any other moneys transferred pursuant to this section shall be used for
12 the purposes set forth in this section and for no other governmental
13 purposes. It is the intent of the legislature that the funds and the moneys
14 deposited in this fund shall remain intact and inviolate for the purposes set
15 forth in this section.

16 Sec. 2. K.S.A. 2018 Supp. 75-52,164 is hereby repealed.

17 Sec. 3. This act shall take effect and be in force from and after its
18 publication in the statute book.