

SESSION OF 2006

**CONFERENCE COMMITTEE REPORT BRIEF  
HOUSE BILL NO. 2555**

As Agreed to May 4, 2006

**Brief\***

HB 2555 would extend the Kansas Criminal Justice Recodification, Rehabilitation, and Restoration Committee (the 3-Rs Committee) until March 31, 2007. The Committee currently is due to sunset on July 1, 2006. Another provision of the bill would extend the time for submitting the final report of the 3-Rs Committee by one year to January 9, 2007.

Further, the bill would reduce the penalty for unlawful acts regarding certain chemicals from a drug severity level 1 crime to a drug severity level 2 crime.

Finally, the bill would delete the sunset provision for the Joint Committee on Corrections and Juvenile Justice Oversight and would require the House Committee membership to be selected from the House Judiciary Committee, and not from the House Corrections and Juvenile Justice Committee.

**Conference Committee Action**

The House Conference Committee agreed to all Senate amendments. The Conference Committee further agreed to the following:

- Change the sunset provision for the 3-R's Committee to March 31, 2007;
- Delete the sunset provision for the Joint Committee on Corrections and Juvenile Justice;
- Delete provisions that contain the *State v. Frazier* fix, 30 K.A. 2d 398 (2002), dealing with the definition of "drug paraphernalia";
- Reduce the penalty for unlawful acts regarding certain chemicals

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from a drug severity level 1 crime to a drug severity level 2 crime;  
and

- Change the membership selection for the Joint Committee on Corrections and Juvenile Justice Oversight to the House Judiciary Committee, instead of the House Corrections and Juvenile Justice Committee.

## **Background**

Those who expressed support for the bill as introduced included the Secretary of the Department of Corrections and by the Chairman of the 3-Rs Committee.

The fiscal note indicates that according to the Department of Corrections, the 3-Rs Committee has had expenditures totaling \$92,436 from October 31, 2004, through December 31, 2005. The state has been awarded \$100,000 from a federal grant that must be utilized by June 30, 2006. The Department expects that the entire grant will be used during FY 2006. However, the Department did not request funding for the Committee in its FY 2007 budget submission, as the Committee's work was expected to be completed. If the Committee would meet the same number of times during FY 2007 that it did previously, then expenditures of approximately \$90,000 would be incurred. Any fiscal effect resulting from the passage of this bill has not been included in *The FY 2007 Governor's Budget Report*.

The Senate Committee amendment would have a significant impact on the bed impact statement. The Kansas Sentencing Commission bed impact statement for 2005 SB 213 which contains the *Frazier* amendment estimated 74 additional prison beds would be needed in FY 2006 with between 577 and 1114 additional beds in FY 2015.