

January 23, 2023

The Honorable Stephen Owens, Chairperson
House Committee on Corrections and Juvenile Justice
300 SW 10th Avenue, Room 546-S
Topeka, Kansas 66612

Dear Representative Owens:

SUBJECT: Fiscal Note for HB 2012 by Representative Rhiley, et al.

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2012 is respectfully submitted to your committee.

HB 2012 would require the Department of Corrections, in collaboration with the Office of Judicial Administration, to develop a curriculum on the duties of citizenship that would be completed by offenders on probation, assignment to a community correctional services program, suspension of sentence, non-prison sanction, or post-release supervision. The bill would require the curriculum to be in English and include information on the rights and duties of Kansas citizens; themes of freedom, liberty, and equal and unalienable rights; material regarding the United States Constitution and Kansas Constitution; and guidance on how to obey laws. The bill would also require the curriculum to include offenders reading and being able to explain the preamble to the United States Constitution and the Declaration of Independence, instructions on who may vote and how to participate in elections, and material on how to contribute as a citizen in local communities and community service.

The bill would require courts to order convicted criminal defendants to complete the citizenship curriculum in addition to other conditions of probation, suspension of sentence, or assignment to a community correctional services program. The bill would also require the Prisoner Review Board to order a parolee or person on post-release supervision to complete the citizenship curriculum when the Board orders the parole of an inmate or establishes conditions for an inmate placed on post-release supervision. The bill would take effect upon publication in the statute book.

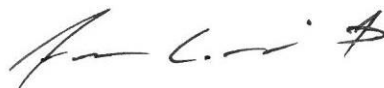
The Office of Judicial Administration indicates enactment of the bill would require the court to develop the course curriculum, provide training to court services officers on the new curriculum, provide classroom space for probationers to attend the course, and provide printed

materials for probationers attending the course. The Office estimates enactment of the bill would require court services officers to spend approximately 1.5 hours each a week on an ongoing basis to meet the requirements of the bill. The Office states that additional court services officers may be required to handle the increased workload. The Office notes that probationers that are not proficient in reading may have difficulty completing the course. However, the Office is unable to estimate a fiscal effect until it has had an opportunity to operate under the provisions of the bill.

The Department of Corrections indicates enactment of the bill would require the agency to provide the course to approximately 8,000 individuals annually. If an existing course that meets the provisions of the bill cannot be identified, the agency indicates it would have to develop the curriculum with assistance and oversight of the Kansas Department of Education and the Kansas Board of Regents which would take approximately two years. The Department estimates the curriculum would be an eight-week program for each participant at 1 to 1.5 hours per week of virtual or in-person classroom time and additional time for assignments and study outside of the classroom. The agency states that until a curriculum could be developed or identified, it cannot determine if the course would be self-led by the learner or would require classroom instruction. Therefore, the cost of instructors and classroom space to implement the bill cannot be determined at this time.

The Department of Corrections further notes that individuals required to take the course may have less time to comply with other conditions of the courts or the Prisoner Review Board, to have on the job meetings with supervision officers, to attend programs to address criminogenic risks and needs, and for substance abuse or mental health treatment, among other requirements. The Department also notes that not completing the course could result in individuals having their community corrections probation or post-release supervision revoked, which could increase the number of individuals incarcerated. However, a precise fiscal effect cannot be determined. Any fiscal effect associated with HB 2012 is not reflected in *The FY 2024 Governor's Budget Report*.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam Proffitt", with a stylized flourish at the end.

Adam Proffitt
Director of the Budget

cc: Vicki Jacobsen, Judiciary
Randy Bowman, Department of Corrections