

February 15, 2007

The Honorable Michael O'Neal, Chairperson
House Committee on Judiciary
Statehouse, Room 143-N
Topeka, Kansas 66612

Dear Representative O'Neal:

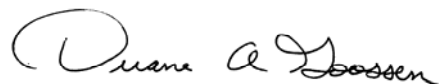
SUBJECT: Fiscal Note for HB 2301 by Representative Patton

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2301 is respectfully submitted to your committee.

HB 2301 would create mandatory sentences for second and subsequent misdemeanor or felony convictions of theft or burglary. The bill would provide that an offender would not be eligible for release on probation, suspension or reduction of sentence, or parole until the offender has served the following mandatory sentences in a local jail, based on the number of convictions: a second conviction would require ten days of imprisonment; a third conviction would require 30 days of imprisonment; and a fourth or subsequent conviction would require 60 days of imprisonment.

Because the mandatory sentences would not be served in a state correctional facility, passage of HB 2301 would not have an effect on adult prison admissions or bed space needs. As a result, enactment of HB 2301 would have no affect on state operations. However, the bill would increase the number of offenders sentenced to local jails. The number of additional offenders cannot be estimated, as the Kansas Sentencing Commission only has data for felony crimes. The Office of Judicial Administration indicates that HB 2301 would increase the number of cases that appear in the courts as a result of the new mandatory sentences for multiple offenses of theft and burglary. However, the agency cannot estimate the number of additional cases.

Sincerely,



Duane A. Goossen
Director of the Budget

cc: Jeremy Barclay, Corrections
Helen Pedigo, Sentencing Commission
Mary Rinehart, Judiciary