



Jon Hummell, Interim Director

Division of the Budget

Sam Brownback, Governor

February 21, 2014

The Honorable John Rubin, Chairperson  
House Committee on Corrections and Juvenile Justice  
Statehouse, Room 151-S  
Topeka, Kansas 66612

Dear Representative Rubin:

SUBJECT: Fiscal Note for HB 2633 by House Committee on Corrections and Juvenile Justice

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2633 is respectfully submitted to your committee.

Under HB 2633, minors who possess or consume alcoholic beverages and are less than 18 years of age would be classified as Children in Need of Care (CINC). Currently, minors under the age of 18 who violate this provision of the Liquor Control Act are classified as juvenile offenders.

The offense categories and associated penalties used for the purposes of committing juvenile offenders to juvenile correctional facilities would apply to only felony cases. Current law includes misdemeanor cases. The sentence for juvenile offenders who have been classified under certain serious or chronic offender categories would be presumptive probation unless the judge conducts a departure hearing and finds a substantial and compelling reason to impose a departure sentence. The bill would require that juvenile offender presentence investigation reports include the results from a standardized risk assessment tool or instrument. HB 2633 would permit using resources from the Correctional Supervision Fund for the implementation of the standardized risk assessment tool for juvenile offenders.

Estimated State Fiscal Effect				
	FY 2014 SGF	FY 2014 All Funds	FY 2015 SGF	FY 2015 All Funds
Revenue	--	--	--	--
Expenditure	--	--	\$3,617,002	\$3,630,344
FTE Pos.	--	--	--	62.00

The Department for Children and Families (DCF) estimates that HB 2633 would require additional funding totaling \$1,830,539 and 27.00 additional FTE positions in FY 2015. Of the total amount, \$1,817,197 would be from the State General Fund and \$13,342 would be from federal funds. This estimate assumes that 3,000 additional reports and investigations of child abuse and neglect would be received. The additional reports would require three additional positions to receive calls in the DCF Protection Report Center including 2.00 Administrative Specialist FTE positions and 1.00 Social Worker Specialist FTE position. This staffing estimate is based on 1.075 hours per call per Administrative Specialist and 0.56 hours per call for the Social Worker Specialist's review. The cost of these positions is \$141,280 in salaries and wages and \$10,889 in other operating expenses.

The additional reports would also require 21.00 Social Worker Specialist FTE positions throughout DCF's service centers to perform investigations and 3.00 Social Worker Supervisor FTE positions. This estimate is based on 144 annual investigations per social worker. The cost of these positions is \$1,312,748 in salaries and wages and \$108,466 in other operating expenditures. It is assumed that 10.0 percent of the investigations, or 300 families, would require preventive family services at \$500 per referral, for a total of \$150,000. It is also assumed that four additional children would enter foster care with an average stay of 18 months, which would equate to an average monthly caseload increase of six children per year. At \$17,676 per year, the total cost would be \$106,056. The total costs for HB 2633 are expected to be \$1,810,302 in FY 2016 and \$1,829,515 in FY 2017.

Currently, the supervision of juvenile offenders who have been convicted of minor in possession or consumption of alcohol is shared by court services and juvenile community corrections. Current law also requires court services officers to provide supervision to youth who have been deemed CINC. By classifying the convicted youth as CINC rather than juvenile offenders, HB 2633 would require these youth to be supervised by only court services officers. According to the Office of Judicial Administration (OJA), there were more than 1,400 minor in possession and minor in consumption cases in FY 2013. The caseload for each court services officer would vary based upon the risk needs of each juvenile. However, assuming an average caseload of 40 youth supervised by each court services officer, OJA estimates an additional 35.00 Court Service Officer FTE positions would be needed requiring total salaries and wages expenditures of \$1,799,805 for FY 2015 (35 officers X \$51,423 salaries and wages per officer).

OJA also indicates that changing the sentencing to presumptive probation for juvenile offenders would increase the number of juveniles on community supervision by both court service officers and juvenile community corrections officers. These juveniles would require programming and services. However, an estimate of the cost to increase services is not available. While the precise cost from implementing the risk assessment tool is not known, OJA estimates enough funding exists in the Correctional Supervision Fund to begin training on the implementation of the tool.

For any juvenile offenders transferred from the custody of Department of Corrections to the custody of another state agency, the Department of Corrections indicates that it would also

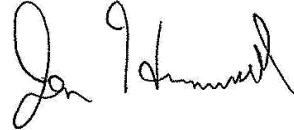
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transfer any associated funding to offset the costs for each child. Any fiscal effect associated with HB 2633 is not reflected in *The FY 2015 Governor's Budget Report*.

Sincerely,

A handwritten signature in black ink, appearing to read "Jon Hummell". The signature is written in a cursive style with a large initial "J" and "H".

Jon Hummell,  
Interim Director of the Budget

cc: Jeremy Barclay, KDOC  
Melissa Wangemann, KAC  
Mary Rinehart, Judiciary  
Jackie Aubert, DCF