

February 10, 2014

The Honorable Jeff King, Chairperson
Senate Committee on Judiciary
Statehouse, Room 341-E
Topeka, Kansas 66612

Dear Senator King:

SUBJECT: Fiscal Note for SB 330 by Senate Committee on Judiciary

In accordance with KSA 75-3715a, the following fiscal note concerning SB 330 is respectfully submitted to your committee.

SB 330 would require inmates who have been sentenced to death, life without the possibility of parole, or life to be at maximum security status for their entire sentence. These inmates must be confined in administrative segregation and separated from other inmates who do not have the same sentences. Under current law, the Secretary of the Department of Corrections has the authority to manage the security status and housing of all offenders. The bill would take effect after its publication in the statute book.

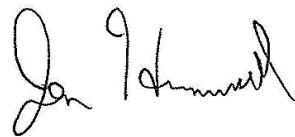
Estimated State Fiscal Effect				
	FY 2014 SGF	FY 2014 All Funds	FY 2015 SGF	FY 2015 All Funds
Revenue	--	--	--	--
Expenditure	--	--	\$79,500,000	\$79,500,000
FTE Pos.	--	--	--	--

According to the Department of Corrections, the agency currently has a total of 725 administrative segregation cells for male offenders. All of the cells are occupied. Administrative segregation cell houses are twice as expensive to operate when compared to general population cell houses because inmates must be housed in single cells; at least two correctional officers are required to escort inmates whenever the inmates are out of their cells; and individual exercise areas must be provided. SB 330 would require 760 male and 51 female inmates who have been sentenced to death, life without the possibility of parole, or life and who are currently in general population cell houses to be moved to administrative segregation units.

Because administrative segregation cells can house only one inmate per cell, this would require 811 additional administrative segregation cells over current administrative segregation capacity. To add this capacity, the Department of Corrections estimates four new administrative segregation cell blocks would need to be constructed at El Dorado Correctional Facility for the male offenders and one new cell block would need to be built at Topeka Correctional Facility for the female offenders. Total construction costs are estimated to be approximately \$62.5 million from the State General Fund absent another funding source (\$50.0 million for El Dorado Correctional Facility and \$12.5 million for Topeka Correctional Facility). Ongoing operating costs are expected to reach approximately \$15.5 million per year (\$14.0 million at El Dorado Correctional Facility and \$1.5 million at Topeka Correctional Facility). At El Dorado, each administrative segregation cell block would house 128 offenders for a total of 512 offenders (128 offenders X 4 cell houses). The remaining 248 cells needed as a result of this legislation would be configured from existing general population cells. The renovation cost for reconfiguring the cells is estimated to be approximately \$2.0 million. To comply with the effective date of the bill, all expenditures would be incurred in FY 2015.

The costs outlined above are separate and in addition to long term capacity needs occurring because of continued population increases projected by the Kansas Sentencing Commission in its *FY 2014 Adult Inmate Prison Population Projections* report. Those needs could necessitate additional costs for contract beds or facility expansion. The actual construction costs would depend upon the security level of the beds to be constructed and when construction is actually undertaken, while the actual operating costs would depend upon the base salary amounts, fringe benefit rates, per meal costs, per capita health care costs, staffing requirements, and other cost factors applicable at the time the additional capacity is occupied. Any fiscal effect associated with SB 330 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 fluid and cursive, with the first name "Jon" being particularly prominent.

Jon Hummell,
Interim Director of the Budget

cc: Jeremy Barclay, KDOC