

February 16, 2016

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 2681 by House Committee on Corrections and Juvenile Justice

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2681 is respectfully submitted to your committee.

HB 2681 would allow an eligible defendant to request a diversion by filling out a form created by the Kansas Sentencing Commission. If the request is rejected, the district attorney would be required to explain in writing why the defendant's diversion is not in the interests of justice or to the benefit of the defendant and the community. The Sentencing Commission would be required to annually report to the Kansas Legislature regarding requests for diversion including information such as the demographics of applicants, charged offenses and application outcomes, and the stated reasons for denials.

The Kansas Sentencing Commission indicates the enactment of HB 2681 would increase its journal entry workload and require the implementation of a diversion reporting process at a cost of \$112,808 from the State General Fund in FY 2017 and \$99,888 each subsequent year for 2.0 FTE positions. The Office of Judicial Administration indicates that any fiscal effect resulting from the passage of HB 2681 would be negligible. Any fiscal effect associated with HB 2681 is not reflected in *The FY 2017 Governor's Budget Report*.

Sincerely,



Shawn Sullivan,
Director of the Budget

cc: Ashley Michaelis, Judiciary
Scott Schultz, Sentencing Commission