

SESSION OF 2024

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2665

As Recommended by House Committee on
Corrections and Juvenile Justice

Brief*

HB 2665 would increase the penalties for leaving the scene of an accident when the driver knew or reasonably should have known the accident resulted in injury or death.

Under current law, the offense of leaving the scene of an injury or fatal accident before complying with the statutory requirements is classified as a severity level 5 person felony if the person knew or should have known such injury or fatality occurred due to the accident. The bill would increase the penalty to a severity level 4 person felony if one death occurred in the accident and set a new penalty for accidents resulting in the death of more than one person at a severity level 3 person felony.

The bill also makes technical amendments to ensure consistency in statutory phrasing.

Background

The bill was introduced by the House Committee on Corrections and Juvenile Justice at the request of a representative of Watkins Strategies on behalf of an individual.

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

House Committee on Corrections and Juvenile Justice

In the House Committee hearing, **proponent** testimony was provided by a representative of the Kansas Association of Chiefs of Police and the Kansas Peace Officers Association; a representative of the Kansas Sheriffs' Association; and a private citizen. The proponents generally stated the bill will fix a loophole in statute wherein the penalty for staying on the scene of an accident after driving intoxicated is higher than the penalty for fleeing in similar circumstances. Written-only proponent testimony was provided by the Sedgwick County District Attorney.

No other testimony was provided.

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on the bill, the Board of Indigents' Defense Services indicates the bill could increase agency expenditures on legal counsel and support staff. The Board estimates \$3,501 to \$5,040 of expenditures from the State General Fund for each new severity level 3 person felony case. The estimated time and resources required for a severity level 4 person felony case is identical to a severity level 5 person felony case.

The Judicial Branch indicates the bill would have no fiscal effect on agency operations. The Department of Corrections indicates the bill may increase operating expenditures by a negligible amount. The Kansas Sentencing Commission indicates the bill would result in one additional prison admission per year.

Any fiscal effect associated with the bill is not reflected in *The FY 2025 Governor's Budget Report*.

Motor vehicles; deadly accident; duty of driver; injury accident