

February 22, 2021

The Honorable Fred Patton, Chairperson  
House Committee on Judiciary  
Statehouse, Room 519C-N  
Topeka, Kansas 66612

Dear Representative Patton:

**SUBJECT:** Fiscal Note for HB 2362 by House Committee on Judiciary

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2362 is respectfully submitted to your committee.

HB 2362 would revise the elements and penalties for the crime of abuse of a child. Under current law, there are three ways someone can commit the crime of abuse of a child. The bill would create seven ways to commit the crime of abuse of a child as specified in the bill. Also, for the crime of abuse of a child, the bill would establish that it would be a severity level five, person felony if the child is at least six years of age, but less than 18 years of age; a severity level three, person felony if the child is under six years of age; a severity level four, person felony if recklessly causing great bodily harm; and a severity level three, person felony if knowingly causing great bodily harm.

The Office of Judicial Administration states that enactment of HB 2362 could increase the number of cases filed in district court because the bill's provisions would expand the crime of abuse of a child, which could result in more time spent by court employees and judges processing and hearing cases. According to the Office, a fiscal effect cannot be estimated until the Judicial Branch has had an opportunity to operate under the bill's provisions. The Office also indicates enactment of the bill could result in additional revenue through the collection of docket fees in those cases filed under the bill's provisions.

The Kansas Sentencing Commission estimates enactment of the bill would result in an increase of three prison admissions in FY 2022 and four prison admissions by FY 2031. In addition, the Commission estimates the bill's enactment would also result in an increase of three prison beds in FY 2022 and 25 prison beds by FY 2031.

The Department of Corrections states the bill's enactment would not have a fiscal effect on Department operations. Any fiscal effect associated with HB 2362 is not reflected in *The FY 2022 Governor's Budget Report*.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam Proffitt", with a stylized flourish at the end.

Adam Proffitt  
Director of the Budget

cc: Debbie Thomas, Judiciary  
Scott Schultz, Sentencing Commission  
Randy Bowman, Corrections