

January 28, 2019

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

Dear Representative Jennings:

**SUBJECT:** Fiscal Note for HB 2048 by House Committee on Corrections and Juvenile Justice

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2048 is respectfully submitted to your committee.

HB 2048 would require the following criteria to be considered for the purposes of determining whether an out-of-state offense is comparable to a Kansas offense:

1. The name of an out-of-state offense;
2. The elements of the out-of-state offense; and
3. Whether an out-of-state offense prohibits similar conduct to conduct that is prohibited by the closest approximate Kansas offense.

The bill would state that it would be the intent of the Legislature that the provisions above be liberally construed to allow comparable offenses, regardless of whether the elements of an out-of-state offense are identical to or narrower than the corresponding Kansas offense, to be used in classifying an offender's criminal history.

The Kansas Sentencing Commission indicates that the bill may affect prison admissions, bed space and the workload of the agency. However, the Commission is unable to determine what the effects would be. The Commission notes that in FY 2018 there were 536 out-of-state convictions in the last five years, excluding misdemeanor convictions. Misdemeanor convictions

are not included in Kansas Sentencing Commission data. The Office of Judicial Administration states that the bill would have no fiscal effect on the Judicial Branch.

Sincerely,

A handwritten signature in black ink, appearing to read "L. L. Campbell". The signature is fluid and cursive, with a large initial "L" and a smaller "L." followed by "Campbell".

Larry L. Campbell  
Director of the budget

cc: Janie Harris, Judiciary  
Scott Schultz, Sentencing Commission  
Linda Kelly, Corrections