

SESSION OF 2021

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2120

As Recommended by House Committee on
Judiciary

Brief*

HB 2120 would amend the definition of the crime of sexual battery to remove the element requiring the crime be committed against a victim “who is not the spouse of the offender.” The bill would also make a technical amendment to the definition of the crime of aggravated sexual battery in accordance with the change to the definition of sexual battery.

Background

The bill was introduced by the House Committee on Judiciary at the request of Representative Patton on behalf of Representative Parker.

House Committee on Judiciary

In the House Committee hearing on February 2, 2021, **proponent** testimony was provided by representatives of the Kansas Coalition Against Sexual and Domestic Violence and the Metropolitan Organization to Counter Sexual Assault and by a private citizen, stating the bill would ensure Kansas citizens are protected against sexual violence in domestic circumstances. No other testimony was provided.

*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>

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on the bill, the Office of Judicial Administration (OJA) indicates enactment of the bill could have a fiscal effect on the Judicial Branch and result in more time spent by court employees and judges processing and deciding these cases. Enactment of the bill would also increase the amount of supervision of offenders required by court service officers. The OJA estimates enactment of the bill could result in the collection of docket fees, fines, and supervision fees assessed in those cases filed under the bill's provisions. The Kansas Sentencing Commission stated enactment of the bill could have an effect on prison admissions and bed space; however, the effect cannot be estimated. Any fiscal effect associated with enactment of the bill is not reflected in *The FY 2021 Governor's Budget Report*.

Sexual battery; spousal exception