

February 10, 2017

The Honorable John Barker, Chairperson
House Committee on Federal and State Affairs
Statehouse, Room 285-N
Topeka, Kansas 66612

Dear Representative Barker:

SUBJECT: Fiscal Note for HB 2145 by House Committee on Federal and State Affairs

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2145 is respectfully submitted to your committee.

HB 2145 would expand the crime of “criminal use of weapons” to include the following:

1. Possessing any firearm while a fugitive from justice;
2. Possessing any firearm by a person who is an alien illegally or unlawfully in the United States;
3. Possessing any firearm by a person while the person is subject to a court order that restrains the person from harassing, stalking, or threatening an intimate partner or child, or placing that partner or child in reasonable fear of bodily injury once certain procedural requirements and findings are met; and,
4. Possessing any firearm by a person who, within the preceding five years, has been convicted of a misdemeanor for a domestic violence offense, or an equivalent conviction from another jurisdiction.

A violation of the bill’s provisions would be a severity level eight, nonperson felony. The bill would define “domestic violence,” “fugitive from justice,” and “intimate partner.”

According to the Office of Judicial Administration, HB 2145 could increase the number of cases filed under the bill’s provisions, which could cause judicial and non-judicial staff to spend more time processing, researching, and hearing cases. The bill could also result in the

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collection of docket fees from those cases filed under the provisions of HB 2145. However, it is not possible to predict the number of additional court cases that would arise or how complex and time-consuming they would be. Therefore, a fiscal effect cannot be determined.

The Kansas Sentencing Commission estimates that enactment of HB 2145 would not have an immediate effect on prison admissions or beds. The Commission states the bill would have an effect on the probation population; however, the Commission cannot provide an estimate at this time. Any fiscal effect associated with HB 2145 is not reflected in *The FY 2018 Governor's Budget Report*.

Sincerely,

A handwritten signature in black ink, appearing to read "Shawn Sullivan", with a horizontal line extending to the right.

Shawn Sullivan,
Director of the Budget

cc: Willie Prescott, Office of the Attorney General
Ashley Michaelis, Judiciary
Linda Kelly, Corrections
Scott Schultz, Sentencing Commission