

SESSION OF 2017

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2071

As Recommended by House Committee on
Judiciary

Brief*

HB 2071 would amend the law governing the crime of domestic battery to require a court to consider information presented to the court regarding a current or prior protective order issued against the offender in determining the sentence to be imposed within the limits provided for a first, second, or third or subsequent offense. The bill would define “protective order” for these purposes. The bill would also strike language allowing the Department of Corrections to order that certain offenders not be required to undergo domestic violence offender assessments.

Background

The bill was introduced by the House Committee on Judiciary at the request of Representative Kuether. At the hearing before the House Committee, Representative Kuether testified in support of the bill and provided written testimony offered by a citizen supporting a similar bill during a previous session. The Kansas Coalition Against Sexual and Domestic Violence provided written-only testimony in support of the bill. No neutral or opponent testimony was presented.

According to the fiscal note prepared by the Division of the Budget on the bill, the Office of Judicial Administration indicates enactment of the bill would increase Judicial Branch expenditures beginning in FY 2018 due to increased staff time incurred by Court Services Officers performing additional

*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>

record checks required by the bill's provisions. The Kansas Sentencing Commission (Commission) indicates enactment of the bill would have no fiscal effect on prison admissions or bed space, or the workload of the Commission. Finally, the Department of Corrections indicates enactment of the bill would have no fiscal effect on its operations.