

SESSION OF 2020

**SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2485**

As Recommended by House Committee on  
Corrections and Juvenile Justice

**Brief\***

HB 2485 would amend the penalty provisions of various crimes where the penalty level depends on monetary value to increase the ceiling for a misdemeanor from less than \$1,000 to less than \$1,500. The corresponding floors for the lowest felony penalties and floors or ceilings for applicable exceptions would be changed to \$1,500. The crimes that would be affected by the bill are:

- Theft of property lost, mislaid, or delivered by mistake;
- Criminal damage to property;
- Giving a worthless check;
- Counterfeiting;
- Criminal use of a financial card;
- Impairing a security interest;
- Medicaid fraud;
- Official misconduct;
- Presenting or permitting a false claim;
- Misuse of public funds; and
- Criminal desecration.

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\*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>

## **Background**

The bill was introduced by the House Committee on Corrections and Juvenile Justice at the request of the Kansas Sentencing Commission (KSSC). In the House Committee hearing, representatives of the KSSC, Kansas County and District Attorneys Association, and the Kansas Association of Criminal Defense Lawyers testified in support of the bill. Proponents testified the bill would allow for more uniform punishments for crimes resulting in economic losses and allow cost savings for prosecution offices. No other testimony was provided.

According to the bed impact statement prepared by the KSSC, the bill is estimated to result in a decrease of prison beds by two prison beds and four prison admissions needed each year and would reduce the workload of the KSSC by four journal entries each year of the ten-year forecasting period.

According to the fiscal note prepared by the Division of the Budget on the bill, the Department of Corrections (Department) states a reduction in the prison population would be beneficial to avoiding future costs, but is not sufficient to reduce current prison expenditures. The Department also notes any person who is convicted and not sent to prison would still be supervised in the community, which could require an increase in community supervision resources in the future. The Office of Judicial Administration (OJA) indicates the bill would result in additional offenders being supervised by court services, but any additional expenditures could be absorbed within existing resources. The OJA estimates the bill would decrease revenues to the Correctional Supervision Fund and the State General Fund, but a fiscal effect could not be determined. Any fiscal effect associated with enactment of the bill is not reflected in *The FY 2021 Governor's Budget Report*.