

February 16, 2021

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

Dear Representative Jennings:

SUBJECT: Fiscal Note for HB 2274 by House Committee on Corrections and Juvenile Justice

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2274 is respectfully submitted to your committee.

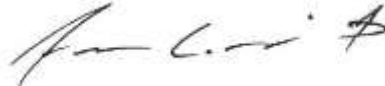
Under current law, the penalty for the crime of “buying sexual relations” is either a class A person misdemeanor or a level nine, person felony. HB 2274 would increase the penalty in all cases from a class A person misdemeanor to a severity level nine, person felony. The bill would also remove provisions related to how prior convictions are counted.

The Office of Judicial Administration states enactment of the bill would remove provisions related to how prior convictions are counted, which could result in less time spent by court employees in determining how many prior convictions are present. In addition, because the bill would make the penalty always a severity level nine, person felony, the Office indicates there would be less time spent by court employees in determining whether a misdemeanor or felony was committed. According to the Office, a fiscal effect cannot be estimated.

The Kansas Sentencing Commission indicates enactment of the bill could have an effect on prison admissions and beds; however, the Commission does not have enough information to estimate an effect, but any effect would be negligible. The Department of Corrections states there would be no fiscal effect on Department operations if the bill is enacted. Any fiscal effect associated with HB 2274 is not reflected in *The FY 2022 Governor’s Budget Report*.

The Kansas Association of Counties states enactment of the bill could affect the number individuals held in county jails, which would bring an increase in the daily rate, as well as potential medical expenses.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam Proffitt", with a stylized flourish at the end.

Adam Proffitt
Director of the Budget

cc: Jay Hall, Association of Counties
Randy Bowman, Corrections
Scott Schultz, Sentencing Commission
Debbie Thomas, Judiciary