

SESSION OF 2003

SUPPLEMENTAL NOTE ON SENATE BILL NO. 35

As Amended by Senate Committee of the Whole

Brief*

SB 35 would create the new crime of criminal use of body armor as a level 7 non-person felony and criminal possession of body armor as a level 8 non-person felony. Criminal use of body armor is defined as committing an offense classified as a person felony or any felony violation of the controlled substances act while wearing body armor. Criminal possession of body armor is defined as the possession, purchase, ownership, or use of body armor by a person convicted of a person felony.

The Senate Committee reduced the severity level of criminal use of body armor from a level 5 to a level 7 person felony and made technical changes. The Senate Committee of the Whole amendment makes the new crimes non-person felonies.

Background

The bill was supported by the Kansas Bureau of Investigation. A representative of the bail bond industry and a representative of the Prairie Band Pottawatomie Nation suggested clarifications to the bill.

The fiscal note as the bill was introduced was estimated to possibly increase prison admissions by two to 12 per year. Note as the bill was amended by the Senate Committee, presumptive probation would be the sentence for most persons convicted of either crime.

*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/klrd>