

SESSION OF 2004

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2693

As Amended by House Committee on
Corrections and Juvenile Justice

Brief*

HB 2693 establishes a range of severity levels for felonies and misdemeanors for persons involved in the mistreatment of a dependent adult. A depended adult is defined as an individual who is 18 years of age or older who is unable to protect his or her own interest. Persons convicted of mistreatment would be punished according to the following guidelines:

- ! If the aggregate amount of the value of resources is \$25,000 or more the penalty is a severity level 7 person felony;
- ! If the aggregate amount of the resources is \$500 but less than \$25,000 the penalty is a severity level 9 person felony;
- ! If the aggregate amount of the resource is less than \$500 the penalty is a class A person misdemeanor.
- ! If the aggregate amount of resources is less than \$500 but committed by a person who has, within the last five years, been convicted of mistreatment of a dependent, two or more times, the penalty is a severity level 9 person felony.

Background

Representative Newton addressed the Committee in support of the bill. Others testifying in favor of the bill included the Attorney General's designee, the Johnson County District Attorney, the Douglas County District Attorney, the Sedgwick County District Attorney's designee, and conferees from the American Association of Retired Persons, the

*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>

Kansas Trial Lawyers Association, Kansas Advocates for Better Care, and Johnson County Community Violence Action Council. In addition, the Sedgwick County District Attorney submitted written support for the bill. The conferee from Interhab expressed support for the intent of the bill.

The fiscal note on the original bill indicated there would be up to six additional prison admissions by FY 2014, and a need for up to eight additional prison beds by FY 2014.