

February 13, 2025

The Honorable Ken Rahjes, Chairperson
House Committee on Agriculture and Natural Resources
300 SW 10th Avenue, Room 112-N
Topeka, Kansas 66612

Dear Representative Rahjes:

SUBJECT: Fiscal Note for HB 2253 by House Committee on Agriculture and Natural Resources

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2253 is respectfully submitted to your committee.

HB 2253 would classify the theft of livestock or implements of husbandry as a severity level 5, nonperson felony, regardless of the value of the items stolen. The bill would also allow for the forfeiture of property used in the commission of this crime and would provide definitions for “livestock” and “implement of husbandry.” The bill would take effect on July 1, 2025.

The Board of Indigents Defense Services indicates that the bill would increase agency expenditures on legal counsel and support staff by unknown amounts. The Board estimates that on average, a severity level 5, nonperson felony case requires 57 hours of direct work by an attorney to provide constitutionally adequate representation. Based on the rates of \$83.36 per hour for public defenders and \$125 per hour for assigned counsel, each new severity level 5, nonperson felony case brought to the agency would result in State General Fund expenditures of \$4,752 to \$7,125. Each severity level 5, nonperson felony that would have previously been charged as a severity level 9, nonperson felony would require the agency to perform 22 hours of additional case work at a cost of \$1,834 to \$2,750. The Board indicates that it may require 1.00 new FTE attorney position and possibly additional support staff depending on the number of new cases brought to the agency under the provisions of the bill.

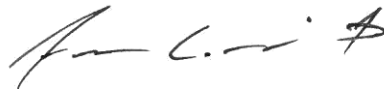
The Sentencing Commission indicates that the bill has the potential to increase prison admissions and the number of prison beds needed; however, an exact estimate of this effect cannot be determined. The Department of Corrections indicates that the bill has the potential to increase

agency operating expenditures by a negligible amount that could be absorbed within existing resources.

The Judiciary indicates that by increasing the penalties for certain crimes, the bill has the potential to decrease agency expenditures on offender supervision performed by court services officers and decrease supervision fee revenue that would have been deposited in the State General Fund; however, the agency is unable to calculate precise estimates of these effects. Any fiscal effect associated with HB 2253 is not reflected in *The FY 2026 Governor's Budget Report*.

The Kansas Association of Counties indicates that the bill has the potential to increase county government expenditures on legal proceedings. The League of Kansas Municipalities indicates that the bill would have a negligible fiscal effect on cities.

Sincerely,

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

Adam C. Proffitt
Director of the Budget

cc: Trisha Morrow, Judiciary
Jennifer King, Department of Corrections
Jay Hall, Kansas Association of Counties
Wendi Stark, League of Kansas Municipalities
Scott Schultz, Kansas Sentencing Commission
Heather Cessna, Board of Indigents Defense Services