

February 14, 2025

The Honorable Susan Humphries, Chairperson  
House Committee on Judiciary  
300 SW 10th Avenue, Room 582-N  
Topeka, Kansas 66612

Dear Representative Humphries:

**SUBJECT:** Fiscal Note for HB 2347 by House Committee on Judiciary

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2347 is respectfully submitted to your committee.

HB 2347 would modify the level of culpability required for certain types of theft and increase the penalty for theft of a motor vehicle valued at less than \$1,500 to a severity level 10, nonperson felony. Under current law, theft of property valued below \$1,500 is considered a class A misdemeanor. The bill would take effect on July 1, 2025.

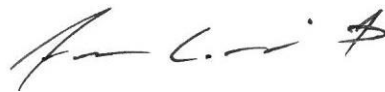
The Board of Indigents Defense Services indicates that the bill would increase agency expenditures on legal counsel and support staff by unknown amounts. The Board estimates that on average, a severity level 10, nonperson felony case requires 35 hours of direct work by an attorney to provide constitutionally 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 10, nonperson felony case brought to the agency would result in State General Fund expenditures of \$2,918 to \$4,375. 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, a precise estimate of this effect cannot be determined. The Department of Corrections indicates that the bill could increase agency operating expenditures by a negligible amount that could be accommodated within existing resources.

The Judiciary indicates that enactment of the bill would have a negligible fiscal effect on its operations. Any fiscal effect associated with HB 2347 is not reflected in *The FY 2026 Governor's Budget Report*.

The Kansas Association of Counties and the League of Kansas Municipalities indicate that the bill has the potential to increase local government expenditures on enforcement and legal proceedings; however, a precise estimate of this effect cannot be determined.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam C. Proffitt". The signature is fluid and cursive, with a distinct flourish at the end.

Adam C. Proffitt  
Director of the Budget

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