

March 20, 2026

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 2697 by House Committee on Judiciary

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2697 is respectfully submitted to your committee.

HB 2697 would expand the crime of unlawful acts involving theft detection shielding devices to include possessing, with the intent to commit theft, a computer program, application, software, or other device designed or commonly used to operate a lock on or start a motor vehicle without an ignition key or fob, copy and store information relating to operating a lock on or starting a motor vehicle, or interfere with the ability to operate a lock on or start a motor vehicle. A violation would be a severity level 9, nonperson felony. The bill would provide exceptions for motor vehicle dealers, car rental companies and agents, locksmiths, towing service employees, automotive repair business employees, persons lawfully repossessing a motor vehicle, law enforcement officers acting within the scope of their duties, and businesses with key-cutting devices used to make replacement keys for lawful vehicle owners or possessors.

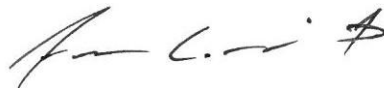
The Sentencing Commission estimates that enactment of HB 2697 could increase prison admissions and the number of beds needed, but that an effect cannot be estimated. The current estimated available bed capacity is 9,924 for males and 968 for females. Based upon the Commission's most recent ten-year projection contained in its *FY 2026 Adult Inmate Prison Population Projections* report, it is estimated that the year-end population will total 9,176 male and 924 female inmates in FY 2026 and 9,485 male and 953 female inmates in FY 2027. The Department of Corrections indicates that enactment of the bill may increase prison admissions, but a specific estimate of this effect could not be provided.

The Board of Indigents' Defense Services estimates that enactment of the bill would increase State General Fund expenditures by unknown amounts. Because the agency's offices currently operate at capacity, new cases resulting from the expanded crime would likely be referred to private attorneys for court appointment at a rate of \$125 per hour. At an estimated 35 hours per case to meet minimum standards of constitutionally effective representation, each new case would cost approximately \$4,375.

The Judiciary indicates enactment of the bill could increase the number of cases filed in district courts because it expands a crime's definition. This could increase the time spent by district court judicial and nonjudicial personnel in processing, researching, and hearing cases. Since the crime carries a felony penalty, there could also be more supervision of offenders required to be performed by court services officers. The bill could also result in the collection of docket fees, supervision fees, and fines, which would be deposited into the State General Fund. However, a fiscal effect cannot be estimated. Any fiscal effect associated with HB 2697 is not reflected in *The FY 2027 Governor's Budget Report*.

The Kansas Association of Counties indicates that enactment of the bill would increase expenditures for county governments on law enforcement and court operations. The League of Kansas Municipalities indicates that enactment of the bill would increase expenditures for city governments because municipalities and law enforcement officers would need to develop and implement new procedures and training related to the expanded crime. However, neither organization was able to provide an estimate of the fiscal effect on local governments.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam C. Proffitt", followed by a stylized flourish or symbol.

Adam C. Proffitt
Director of the Budget

cc: Jennifer King, Department of Corrections
Scott Schultz, Kansas Sentencing Commission
Trisha Morrow, Judiciary
Ann Sagan, Board of Indigents Defense Services
Bruce Chladny, Kansas Association of Counties
Wendi Stark, League of Kansas Municipalities