

SESSION OF 2013

**SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2043**

As Amended by House Committee on  
Corrections and Juvenile Justice

**Brief\***

HB 2043 would amend the crime of aggravated battery to include driving under the influence of alcohol or drugs:

- When great bodily harm to another person or disfigurement of another person results from such act, which would be a severity level 5 person felony; and
- When bodily harm to another person results from such act under circumstances whereby great bodily harm, disfigurement, or death can result from such act, which would be a severity level 8, person felony.

**Background**

In the House Committee on Corrections and Juvenile Justice, representatives of local district attorney's offices appeared in support of the bill. A local defense attorney appeared as an opponent.

The House Committee amended the bill to remove language that would make these new offenses strict liability crimes requiring no culpable mental state and to clarify that harm must be the result of driving under the influence of alcohol or drugs.

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\*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>

The revised fiscal note prepared by the Division of the Budget for the bill, as introduced, indicates passage of the bill would increase caseloads, which likely could be accommodated within existing resources. The Kansas Sentencing Commission indicates passage would result in one to three additional prison beds in FY 2014, two to six additional prison beds in FY 2015, and three to nine additional prison beds by FY 2023.