

SESSION OF 2016

**SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2592**

As Recommended by House Committee on  
Corrections and Juvenile Justice

**Brief\***

HB 2592 would make the crimes of burglary and aggravated burglary inapplicable to a person who enters retail or commercial premises while such premises are open to the public, except when the person enters or remains in such premises with the intent to commit a person felony or a sexually motivated crime.

**Background**

The bill was introduced by the House Committee on Corrections and Juvenile Justice at the request of a representative of the Kansas Association of Criminal Defense Lawyers. In the House Committee hearing, proponent testimony was provided by a representative of the Kansas Association of Criminal Defense Lawyers. The Johnson County District Attorney submitted written opponent testimony.

According to the revised fiscal note prepared by the Division of the Budget, the Sentencing Commission estimates the bill would result in a decrease of at least 28 adult prison beds needed in FY 2017 and a total decrease of 192 adult prison beds needed over the next ten years. Based on the Sentencing Commission's data, the Department of Corrections estimates the bill would produce cost avoidance of at least \$1,317,504 over the ten-year period.

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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 Office of Judicial Administration indicates the bill would have no fiscal effect on Judicial Branch expenditures, but it may reduce revenues from docket fees and fines since there are a number of cases that could include the charge of burglary under current law and would no longer include that charge under the provisions of this bill. While the reduction in revenues to the Judicial Branch would be negligible, it is not possible to provide an accurate estimate until the courts have had an opportunity to operate with these provisions in place.