

January 16, 2018

The Honorable John Barker, Chairperson  
House Committee on Federal and State Affairs  
Statehouse, Room 285-N  
Topeka, Kansas 66612

Dear Representative Barker:

**SUBJECT:** Fiscal Note for HB 2443 by Representative Highberger

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2443 is respectfully submitted to your committee.

HB 2443 would create a new crime of unlawful abandonment of a firearm. Abandoning or otherwise leaving a firearm in a public place where the firearm may be accessible to a person other than the owner of the firearm, with no requirement of a culpable mental state would be a class C misdemeanor. If the abandonment results in the bodily harm or death of a person, it would be a severity level 10, nonperson felony.

HB 2443 has the potential for increasing litigation in the courts because of the new crime created by the bill. If it does, the Office of Judicial Administration indicates that there would be a fiscal effect on the operations of the court system. However, it is not possible to predict the number of additional court cases that would arise or how complex and time-consuming they would be. Therefore, a precise fiscal effect cannot be determined. In any case, the fiscal effect would most likely be accommodated within the existing schedule of court cases and would not require additional resources.

The Kansas Sentencing Commission indicates enactment of HB 2443 could have an effect on prison admissions and bed space; however, the Commission cannot determine what that effect would be. Any fiscal effect associated with HB 2443 is not reflected in *The FY 2019 Governor's Budget Report*.

Sincerely,



Shawn Sullivan,  
Director of the Budget

cc: Ashley Michaelis, Judiciary  
Shelia Sawyer-Tyler, KBI  
Chardae Caine, League of Municipalities  
Melissa Wangemann, Association of Counties  
Scott Schultz, Sentencing Commission  
Willie Prescott, Office of the Attorney General