

SESSION OF 2019

**SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2049**

As Recommended by House Committee on  
Corrections and Juvenile Justice

**Brief\***

HB 2049 would amend the penalty provisions of various crimes where the penalty level depends on monetary value to increase the ceiling for a misdemeanor from less than \$1,000 to less than \$1,500. The corresponding floors for the lowest felony penalties and floors or ceilings for applicable exceptions would be changed to \$1,500. The crimes that would be affected by the bill are:

- Theft of property lost, mislaid, or delivered by mistake;
- Criminal damage to property;
- Giving a worthless check;
- Counterfeiting;
- Criminal use of a financial card;
- Impairing a security interest;
- Medicaid fraud;
- Official misconduct;
- Presenting or permitting a false claim;
- Misuse of public funds; and
- Criminal desecration.

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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>

## **Background**

The bill was introduced by the House Committee on Corrections and Juvenile Justice at the request of the Kansas Sentencing Commission (KSC). In the House Committee hearing, representatives of the the Kansas County and District Attorneys Association and the KSC testified in support of the bill. No other testimony was provided.

According to the bed impact statement prepared by the KSC, the bill is estimated to reduce prison admissions by four, reduce prison bed needs by between two to three beds, and reduce the workload of the KSC by four journal entries each year of the ten-year forecasting period.

According to the fiscal note prepared by the Division of the Budget on the bill, the Department of Corrections states a three-bed reduction in FY 2020 would reduce its State General Fund expenditures by \$5,436 in FY 2020. The Office of Judicial Administration (OJA) indicates the bill would result in additional offenders being supervised by court services, but any additional expenditures could be absorbed within existing resources. The OJA estimates the bill would decrease revenues to the Correctional Supervision Fund and the State General Fund. Any fiscal effect associated with enactment of the bill is not reflected in *The FY 2020 Governor's Budget Report*.