

SESSION OF 2020

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2467

As Amended by House Committee of the Whole

Brief*

HB 2467, as amended, would amend the crime of domestic battery to require the sentencing court to order a person convicted of a first offense to undergo a domestic violence offender assessment conducted by a certified batterer intervention program and follow all recommendations made by such program. Under current law, such an order is within the court's discretion for a first-time offender and is required as a condition of release for subsequent offenses.

The bill also would amend the definition of the crime of sexual battery to remove the element requiring the crime be committed against a victim "who is not the spouse of the offender."

Background

The bill was introduced by the House Committee on Judiciary at the request of Representative Patton on behalf of Representative Parker. As introduced, the bill contained the amendment to the crime of sexual battery.

In the House Committee hearing, a representative of the Metropolitan Organization to Counter Sexual Assault and a licensed master social worker testified in support of the bill. A representative of the YWCA Center for Safety and Empowerment provided written-only testimony in support of the bill. No other testimony was provided.

*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 House Committee of the Whole amended the bill by adding the provision regarding the crime of domestic battery.

According to the fiscal note prepared by the Division of the Budget on the bill, as introduced, the Office of Judicial Administration (OJA) indicates enactment of the bill could increase the number of cases filed in district courts, which would increase Judicial Branch expenditures for time spent by judicial and nonjudicial personnel in processing, researching, and hearing cases. However, the increased cases could also result in additional revenues remitted to the court for docket fees and fines assessed. Enactment of the bill would also increase the amount of supervision of offenders required by court services officers. OJA is unable to provide an estimate of the fiscal effect on expenditures by and revenues to the court as a result of the enactment of this bill. The Kansas Sentencing Commission indicates the bill could have an impact on prison admissions and bed space, but an estimate cannot be determined at this time. Any fiscal effect associated with enactment of the bill is not reflected in *The FY 2021 Governor's Budget Report*.

As of the date of the House Committee of the Whole action on the bill, there was no fiscal effect information for the House Committee of the Whole amendment.