

MEMORANDUM

To: John Kirk, Division of the Budget
From: Scott M. Schultz, Executive Director
Date: January 29, 2021
Re: Prison Bed Impact Assessment, **SB - 58 - Prohibiting the filing of certain liens or claims against real or personal property and providing for criminal penalties.**

IMPACT ASSESSMENT

- **Impact on Prison Admissions:** This bill **may** impact prison admissions, but it cannot be determined at this time. The impact will be negligible.
- **Impact on Prison Beds:** This bill **may** impact prison bed space, but it cannot be determined at this time. The impact will be negligible.
- **Impact on the Commission Workload:** This bill **may** impact the workload of the Kansas Sentencing Commission, but it cannot be determined at this time. The impact will be negligible.

SUMMARY OF THE BILL

Section 1. This new section provides for a severity level 8, nonperson felony for presenting unlawful liens or claims against personal or real property.

Section 2. This bill amends K.S.A. 2020 Supp. 58-4301 to provide that “if the court orders that the lien or claim is set aside, the court's findings of fact and conclusions of law shall also include: (a) an order prohibiting the person who filed such lien or claim from filing any future lien or claim with any filing officer without approval of the court that enters the order; and (b) a provision stating that a violation of the order may subject the party in violation to civil and criminal penalties.”

FINDINGS

- There were **zero** arrests in the KBI database for crimes under these statutes in FY 2020.
- There were **zero** convictions in the KSSC database in FY 2019.

SUMMARY

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