

MEMORANDUM

To: Leyton Gunn, Division of Budget
From: Scott M. Schultz, Executive Director
Date: February 2, 2023
Re: Prison Bed Space Impact Assessment, **HB 2215 - Creating the crime of utilizing a drug-masking product and providing criminal penalties therefor.**

IMPACT ASSESSMENT

- **Impact on Prison Admissions:** This bill will have **no** impact on prison admissions.
- **Impact on Prison Beds:** This bill will have **no** impact on prison bed space.
- **Impact on the Workload of the Commission:** This bill will have **no** impact on the workload of the Commission.

SUMMARY OF THE BILL

New Section 1. Utilizing a drug-masking product means possessing, distributing, delivering, or selling a drug-masking product. **Utilizing a drug-masking product is a class A nonperson misdemeanor.**

Section 2. K.S.A. 21-5701 is amended to include the definition of "Drug-masking product" which means synthetic urine, human urine, a substance designed to be added to human urine or a substance designed to be added to or used on human hair or oral fluid that is used, or primarily intended or designed for use, for the purpose of defrauding an alcohol or drug screening test.

The definition of possession is removed.

Included is the definition of "Synthetic urine" means a substance that is designed to simulate the composition, chemical properties, physical appearance, or physical properties of human urine.

FINDINGS

- This bill only pertains to *misdemeanor penalties*.
- All incarceration penalties will occur in **county jail**, as opposed to state prison.
- Therefore, this bill will have **no** impact on prison admissions, prison bed space, or workload of the Commission.

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