

KANSAS OFFICE *of*  
**REVISOR *of* STATUTES**

LEGISLATURE *of* THE STATE *of* KANSAS  
*Legislative Attorneys transforming ideas into legislation.*

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**MEMORANDUM**

To: Senate Committee on Judiciary

From: Office of Revisor of Statutes

Date: March 9, 2023

Subject: Bill Brief on HB 2070

House Bill 2070 allows certain nondrug offenders to participate in a certified drug abuse treatment program.

The bill amends K.S.A. 21-6824, which is the statute that creates the certified drug abuse treatment program, commonly referred to as the SB 123 program. Current law requires that offenders must be convicted of certain drug offenses to be eligible to participate in the program. This bill allows an offender convicted of a nonperson severity level 7, 8, 9 or 10 felony with a criminal history score between C and I to participate if the offender has no prior convictions for manufacturing a controlled substance, cultivating or distributing a controlled substance or unlawful acts involving proceeds from drug crimes. An offender convicted of a nonperson severity level 7, 8, 9 or 10 felony with a criminal history score of A or B would be able to participate if the offender does not have the same prior convictions as above and (1) the person felonies in the offender's history were nondrug severity level 8 or lower and (2) the court finds that the safety of the members of the public will not be jeopardized by such placement in a drug abuse treatment program.