

February 14, 2023

The Honorable Stephen Owens, Chairperson  
House Committee on Corrections and Juvenile Justice  
300 SW 10th Avenue, Room 546-S  
Topeka, Kansas 66612

Dear Representative Owens:

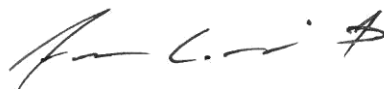
**SUBJECT:** Fiscal Note for HB 2398 by House Committee on Corrections and Juvenile Justice

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2398 is respectfully submitted to your committee.

HB 2398 would define “fentanyl-related controlled substance” and would classify the unlawful manufacture or attempted unlawful manufacture of a fentanyl-related controlled substance as a drug severity level 1 felony. The sentence for a violation would be presumed imprisonment of any quantity and be two times the maximum duration of the presumptive term of imprisonment if a fentanyl-related controlled substance is in the material.

The Office of Judicial Administration indicates that HB 2398 would not have a significant fiscal effect on expenditures of the Branch. The Kansas Sentencing Commission indicates that HB 2398 would increase prison beds, but an estimate for the total number cannot be determined. Any fiscal effect associated with HB 2398 is not reflected in *The FY 2024 Governor’s Budget Report*.

Sincerely,



Adam Proffitt  
Director of the Budget

cc: Vicki Jacobsen, Judiciary  
Scott Schultz, Sentencing Commission