

February 3, 2020

The Honorable Russell Jennings, Chairperson  
House Committee on Corrections and Juvenile Justice  
Statehouse, Room 151B-S  
Topeka, Kansas 66612

Dear Representative Jennings:

**SUBJECT:** Fiscal Note for HB 2473 by House Committee on Corrections and Juvenile Justice

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2473 is respectfully submitted to your committee.

Under current law, unlawful voluntary sexual relations is defined as sexual intercourse, sodomy, or touching of a child older than 14 years of age and less than 16 years of age by an offender who is less than 19 years of age and less than four years of age older than the child. HB 2473 would amend the definition of unlawful voluntary sexual relations as sexual intercourse, sodomy, or touching of a child older than ten years of age and less than 16 years of age by an offender who is less than 13 years of age or an offender who is between 13 years of age and 19 years of age and is less than 48 months in age difference than the child. The bill would also change the severity levels of certain acts based on a new matrix and the ages of the child and the offender. Additionally, it would remove the requirement for offender registration for a person convicted of unlawful voluntary sexual relations or adjudicated as a juvenile offender for an act which, if committed by an adult, would constitute unlawful voluntary sexual relations.

The Office of the Attorney General indicates that enactment of HB 2473 could require the Office to prosecute cases involving the crimes described in the bill, but that any costs associated with litigating a criminal charge would be borne by local law enforcement agencies and prosecutors.

The Office of Judicial Administration indicates that the bill could result in additional cases supervised by court services officers. However, the Office does not anticipate the need to hire additional court services officers to take on any additional caseload. The Office also indicates the bill could result in the collection of additional fines. However, the fiscal effect cannot be estimated because the number of additional cases and fines is unknown.

The Kansas Sentencing Commission estimates that enactment of HB 2473 would result in a negligible decrease of adult prison beds and would reduce the workload of the Commission by ten to 15 journal entries each year. Based on the Commission's projections, a reduction in the prison population is beneficial toward avoiding future costs for the Department of Corrections, but any reduction as a result of the bill would not be sufficient to reduce current prison expenditures. Any fiscal effect associated with HB 2473 is not reflected in *The FY 2021 Governor's Budget Report*.

Sincerely,

A handwritten signature in cursive script that reads "L. L. Campbell". The signature is written in dark ink and is positioned above the printed name and title.

Larry L. Campbell  
Director of the budget

cc: Scott Schultz, Sentencing Commission  
Mary Rinehart, Judiciary  
Willie Prescott, Office of the Attorney General