

May 19, 2021

The Honorable John Barker, Chairperson
House Committee on Federal and State Affairs
Statehouse, Room 285A-N
Topeka, Kansas 66612

Dear Representative Barker:

SUBJECT: Fiscal Note for HB 2454 by House Committee on Federal and State Affairs

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2454 is respectfully submitted to your committee.

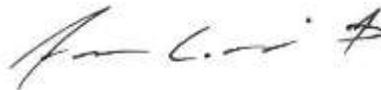
HB 2454 would add two additional provisions to the crime of criminal discharge of a firearm. The bill would specify that it would be a crime to discharge a firearm when a projectile travels beyond the boundaries of the property from which any authorized discharge of a firearm occurred or outside the corporate limits of a city and within two miles of any school property or grounds upon which is located a building or structure used by a unified school district or an accredited nonpublic school for student instruction, attendance, or extracurricular activities of pupils enrolled in kindergarten through grade 12.

The bill would establish a severity level nine, person felony if the criminal discharge of a firearm results in no bodily harm; a severity level five, person felony if there is bodily harm; and a severity level three, person felony, if there is great bodily harm. The bill would also add a provision detailing when a discharge of a fireman would be considered lawful self-defense.

The Office of Judicial Administration states that enactment of HB 2454 could increase the number of cases filed in district court because the bill would expand the crime of criminal discharge of a firearm, which could result in more time spent by court employees and judges processing and hearing cases. The Office states since a portion of this crime carries a severity level nine, person felony, there could be additional supervision of offenders required to be performed by court service officers. According to the Office, a fiscal effect cannot be estimated until the Judicial Branch has had an opportunity to operate under the bill's provisions. The Office also indicates enactment of the bill could result in additional revenue through the collection of additional docket and supervision fees.

The Kansas Sentencing Commission states enactment of the bill may have an effect on prison admissions and beds; however, the Commission does not have enough information to estimate what that effect would be. The Department of Corrections states enactment of the bill would have a negligible fiscal effect on Department operations. Any fiscal effect associated with HB 2454 is not reflected in *The FY 2022 Governor's Budget Report*.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam Proffitt", with a stylized flourish at the end.

Adam Proffitt
Director of the Budget

cc: Debbie Thomas, Judiciary
Scott Schultz, Sentencing Commission
Randy Bowman, Corrections
Craig Neuenswander, Education