

SESSION OF 2019

**SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2079**

As Recommended by House Committee on  
Judiciary

**Brief\***

HB 2079 would amend the definition of the crime of sexual battery to remove the qualification that the crime be committed against a victim “who is not the spouse of the offender.”

**Background**

The bill was introduced by the House Committee on Judiciary at the request of Representative Parker. In the House Committee hearing, Representative Parker, representatives of the YWCA Center for Safety and Empowerment and the Kansas Coalition Against Sexual and Domestic Violence, and a licensed master social worker testified in support of the bill. The Metropolitan Organization to Counter Sexual Assault and AdventHealth Shawnee Mission provided written-only testimony in support of the bill. No other testimony was provided.

According to the fiscal note prepared by the Division of the Budget on the bill, the Office of Judicial Administration (OJA) indicates enactment of the bill could increase the number of cases filed in district court, which would increase Judicial Branch expenditures for time spent by judicial and nonjudicial personnel in processing, researching, and hearing cases. However, the increased cases would also result in additional revenues remitted to the court for docket fees and fines assessed. Enactment of the bill would also increase the

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\*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

amount of supervision of offenders required by court services officers because it is a class A person misdemeanor. OJA is unable to provide an estimate of the fiscal effect on expenditures by and revenues to the court as a result of the enactment of this bill. The Kansas Sentencing Commission indicates the bill could have an impact on prison admissions and bed space, but an estimate cannot be determined at this time. Any fiscal effect associated with enactment of the bill is not reflected in *The FY 2020 Governor's Budget Report*.