

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: Jenna Moyer, Assistant Revisor of Statutes
Date: March 14, 2018
Subject: HB 2567 - Amending criminal code rules for determination of an offender's criminal history classification.

HB 2567 clarifies how offenses are to be counted in criminal history.

The bill amends K.S.A. 21-6811 to provide that if a conviction for an out-of-state crime is not classified as a misdemeanor or a felony in the convicting jurisdiction, the state shall refer to the comparable offense under the Kansas criminal code in effect on the date the current crime was committed to classify the out-of-state crime as a misdemeanor or a felony. If Kansas does not have a comparable crime, the out-of-state conviction shall not be used in calculating the offender's criminal history.