

February 6, 2018

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

Dear Representative Jennings:

**SUBJECT:** Fiscal Note for HB 2566 by House Committee on Corrections and Juvenile Justice

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2566 is respectfully submitted to your committee.

HB 2566 would decrease the penalty for the crime of possession of tetrahydrocannabinols (THC) to make it equal with the penalty for possession of marijuana, which is a class B nonperson misdemeanor. If the person has one prior conviction or similar offense, the penalty would be a class A nonperson misdemeanor. If the person has two or more prior convictions or similar offenses, the penalty would be a drug severity level 5 felony.

The Office of Judicial Administration (OJA) indicates HB 2566 would increase its expenditures in FY 2019 because the number of offenders required to be supervised by court services officers would increase. OJA indicates the provisions in the bill could also increase revenues from fines. However, a precise estimate of additional expenditures and revenues that could be incurred by the Judicial Branch cannot be determined. The Kansas Sentencing Commission indicates the bill would have no fiscal effect on prison admissions, bed space or the workload of the Commission. The League of Kansas Municipalities indicates HB 2566 could increase costs for municipalities for record-keeping and legal fees resulting from additional arrests and court cases related to possession of THC, but the number of additional cases would vary by city.

Sincerely,



Shawn Sullivan,  
Director of the Budget

cc: Scott Schultz, Sentencing Commission  
Ashley Michaelis, Judiciary  
Melissa Wangemann, Association of Counties  
Chardae Caine, League of Municipalities