

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 2567 by House Committee on Corrections and Juvenile Justice

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2567 is respectfully submitted to your committee.

HB 2567 would amend the determination of an offender's criminal history classification as contained in the presumptive sentencing guidelines grid. The bill would replace "another state" with "the convicting jurisdiction" and clarifies the treatment of out-of-state offenses in criminal history classification. Out-of-state offenses would be compared to the Kansas criminal code in effect on the date the current crime of conviction was committed. Classification of offenses, which are not classified as a felony or misdemeanor in the convicting jurisdiction, would be based on a comparison to the Kansas criminal code. If an out-of-state offense is not comparable to the Kansas criminal code, then the offense would not be used in classifying the offender's criminal history. The bill would take effect upon its publication in the *Kansas Register*.

According to the Office of the Judicial Administration, there would be no fiscal effect resulting from the enactment of HB 2567 upon the Judicial Branch. The Kansas Sentencing Commission estimates the bill could have an effect on prison bed space; however, the Commission is unable to estimate an effect.

Sincerely,



Shawn Sullivan,  
Director of the Budget

cc: Ashley Michaelis, Judiciary  
Scott Schultz, Sentencing Commission  
Shelia Sawyer-Tyler, KBI  
Willie Prescott, Office of the Attorney General