

KANSAS OFFICE *of*
REVISOR *of* STATUTES

LEGISLATURE *of* THE STATE *of* KANSAS
Legislative Attorneys transforming ideas into legislation.

300 SW TENTH AVENUE ■ SUITE 24-E ■ TOPEKA, KS 66612 ■ (785) 296-2321

MEMORANDUM

To: Senate Committee on Judiciary
From: Office of Revisor of Statutes
Date: February 5, 2024
Subject: Bill Brief for SB 412

Senate Bill 412 modifies criminal sentencing rules applicable in multiple conviction cases where consecutive sentences may be imposed by the sentencing judge and the sentence for the primary crime is a nonprison sentence.

The bill amends K.S.A. 21-6819, the criminal code statute that governs sentencing in multiple conviction cases. Current law in subsection (b) provides that in cases where consecutive sentences may be imposed by the sentencing judge, several rules apply. Subsection (b)(8) provides that if the sentence for the primary crime is a nonprison sentence, a nonprison term will be imposed for each crime of conviction, but the nonprison terms shall not be aggregated or served consecutively even though the underlying prison sentences have been ordered to be served consecutively. The bill removes the words “aggregated or” and adds two additional provisions: (1) The supervision term will be based on the longest supervision term imposed for any of the crimes and the supervision durations set forth in K.S.A. 21-6608(c)(1), (c)(2), (c)(3) and (c)(4) shall not apply; and (2) such an increase shall not be considered a departure and shall not be subject to appeal.

The bill would take effect from and after publication in the statute book, July 1, 2024.