

## MEMORANDUM

**To:** Sheena Ward, Division of Budget  
**From:** Scott M. Schultz, Executive Director  
**Date:** February 2, 2023  
**Re:** Prison Bed Space Impact Assessment, **HB 2216 - Removing the mandatory term of imprisonment as a penalty for driving with license that is canceled, suspended, or revoked for failure to pay fines.**

### IMPACT ASSESSMENT

- **Impact on Prison Admissions:** This bill will have **no** impact on prison admissions.
- **Impact on Prison Beds:** This bill will have **no** impact on prison bed space.
- **Impact on the Workload of the Commission:** This bill will have **no** impact on the workload of the Commission.

### SUMMARY OF THE BILL

**Section 1.** K.S.A. 8-262 is amended to include that any person convicted of a violation of this section shall be subject to a fine of not less than \$100. Additionally, language is added that a violation of this section, committed while the person's privilege to drive or privilege to obtain a driver's license was suspended or revoked for any violation other than a violation of K.S.A. 8- 2110, and amendments thereto, or any ordinance of any city, resolution of any county or a law of another state that prohibits the acts prohibited by those statutes other than K.S.A. 8-2110 shall be sentenced to at least five days of confinement and, upon a second conviction, shall not be eligible for parole until completion of five days of confinement.

### FINDINGS

- This bill only pertains to *misdemeanor penalties*.
- As such, all incarceration penalties will occur in **county jail**, as opposed to prison.
- Therefore, this bill will have **no** impact on prison admissions, prison bed space, or the workload of the Commission.

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