

SESSION OF 2011

## SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2008

As Amended by House Committee on  
Corrections and Juvenile Justice

### **Brief\***

HB 2008 would make identify theft and identity fraud, person felonies, rather than nonperson felonies. It also would amend the severity levels for identity fraud and identity theft where the monetary loss to the victim is less than \$100,000, changing them from a level 8 to a level 9.

### **Background**

In the House Committee on Corrections and Juvenile Justice, Stephen Howe, Johnson County District Attorney, appeared in support of HB 2008. The Committee also received written testimony from AARP in support of the bill. No opponents presented testimony. The Committee amended the bill by changing the severity levels for identity fraud and identity theft where the monetary loss to the victim is less than \$100,000, from a level 8 to a level 9.

The Kansas Sentencing Commission originally estimated an increase in 2012 of nine convictions pursuant to HB 2008. During the Committee hearing, questions arose about whether the impact of the bill would be seen in 2012. After additional consideration, the Sentencing Commission estimates a nine bed increase in FY 2013 and an additional 12 by 2021. As the number of male inmates already exceeds capacity, the bed impact of this bill in addition to the impact of other possible legislation is likely to require additional expenditures. The Governor's Recommended FY 2012

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\*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

Budget includes \$2.5 million for contract prison beds and if construction is necessary, the Department of Corrections has identified two expansion projects: two high medium housing units at El Dorado Correctional Facility with 512 beds, a cost of \$22.7 million for construction, and \$9.3 million for operation; and 1 minimum security housing unit at Ellsworth Correctional Facility with 100 beds, a cost of \$5.9 million for construction, and \$1.8 million for operation. The fiscal note indicates actual costs may vary and prison commitments that result in additional parolees could require additional staff and resources for effective supervision.