

MEMORANDUM

To: Leyton Gunn, Division of Budget
From: Scott M. Schultz, Executive Director
Date: January 27, 2020
Re: Prison Bed Impact Assessment, HB 2467 – **Removing the spousal exception from sexual battery.**

IMPACT ASSESSMENT

- This bill **may** have an impact on prison admissions and bed space, but it cannot be determined at this time.
- This bill **may** have an impact on the workload of the Commission, but it cannot be determined at this time.

SUMMARY OF THE BILL

Section 1 removes the provision “who is not the spouse of the offender,” making 21-5505(a) applicable to spouses and non-spouses alike.

FINDINGS

- According to KSSC data, in FY 2019 there were **30** convictions for violation of K.S.A. 21-5505.
 - **0** convictions for 21-5505(a).
 - **Subsection (a) is a misdemeanor** offense and specific data regarding this misdemeanor is not collected by KSSC.
 - **30** convictions for 21-5505(b).
- According to KBI data, in CY 2019 there were **170** arrests for violation of K.S.A. 21-5505.
 - **107** arrests for 21-5505(a)
 - **63** arrests for 21-5505(b)

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