

MEMORANDUM

To: John Kirk, Division of the Budget
From: Scott M. Schultz, Executive Director
Date: February 21, 2021
Re: Prison Bed Impact Assessment, **HB 2360 - Removing recklessly causing fear or evacuation, lock down or disruption in regular, ongoing activities from the crime of criminal threat.**

IMPACT ASSESSMENT

- This bill **may** impact prison admissions, prison beds, and the workload of the Commission, but it cannot be determined at this time.

SUMMARY OF THE BILL

Section 1. K.S.A. 2020 Supp. 21-5415(a)(1), commonly known as the crime of criminal threat, is amended to remove “in reckless disregard of the risk of causing such fear or evacuation, lock down or disruption in regular, ongoing activities” from the definition of criminal threat.

FINDINGS

- In FY 2019, **387** offenders were convicted under **K.S.A. 21-5415** (criminal threat)
 - **95** were sentenced to **prison**
 - **2** were sentenced at severity level 5;
 - **90** were sentenced at severity level 9; and
 - **3** were sentenced at severity level 10.
 - **292** were sentenced to **probation**
 - **3** were sentenced at severity level 5;
 - **1** was sentenced at severity level 7;
 - **2** were sentenced at severity level 8;
 - **279** were sentenced at severity level 9; and
 - **7** were sentenced at severity level 10.

IMPACT ASSESSMENT

- This bill **may** impact prison admissions, prison beds, and the workload of the Commission, but it cannot be determined at this time.