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MEMORANDUM

To: House Committee on Corrections and Juvenile Justice

From: Office of Revisor of Statutes

Date: February 15, 2022

Subject: Bill Brief on HB 2673

HB 2673 expands the number of presumptive probation and border boxes on the sentencing grid for drug crimes.

Current law in K.S.A. 21-6805 provides that grid blocks 5-C, 5-D, 4-E, 4-F, 4-G, 4-H and 4-I are border boxes and grid blocks 5-E, 5-F, 5-G, 5-H and 5-I are presumptive probation boxes. This bill would change grid block 5-B from presumptive imprisonment to a border box and 5-D from a border box to presumptive probation. Grid blocks 4-C and 4-D would change from presumptive imprisonment to border boxes and grid blocks 4-G, 4-H and 4-I would change from border boxes to presumptive probation.

Section 2 amends K.S.A. 21-6824 to allow more people who would possibly be sentenced to probation under the new grid to be sentenced to the certified drug abuse treatment program. Offenders in grid blocks 5-A and 5-B would be allowed to be sentenced to the program without a finding that the safety of the public will not be jeopardized. Offenders in grid blocks 4-C, 4-D, 3-G, 3-H or 3-I would become eligible to participate in the program if the court makes a finding that the safety of the public will not be jeopardized.