

January 19, 2023

The Honorable Fred Patton, Chairperson  
House Committee on Judiciary  
300 SW 10th Avenue, Room 582-N  
Topeka, Kansas 66612

Dear Representative Patton:

**SUBJECT:** Fiscal Note for HB 2023 by Representatives Concannon and Hawkins

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2023 is respectfully submitted to your committee.

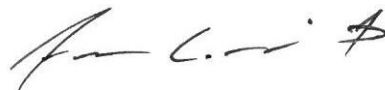
HB 2023 would create the crime of interference with the conduct of a hospital, which would be defined as conduct at a hospital that knowingly denies an employee to enter, to use the facilities or leave; knowingly impeding an employee of a hospital from the performance of their duties and activities through restraint, abduction, coercion or intimidation or by force and violence or threat; or knowingly refusing to leave a hospital upon being requested to by the employee charged with maintaining order in a hospital. The bill would also create the crime of aggravated interference with the conduct of a hospital, which would be interference with the conduct of the hospital when in possession of a weapon. Interference with the conduct of a hospital would be a class A nonperson misdemeanor and aggravated interference with the conduct of a hospital would be a severity level 6, person felony. The bill would also define aggravated battery as battery against a healthcare provider while they are engaged in the performance of their duties, which would be a class A person misdemeanor.

The Office of Judicial Administration indicates enactment of HB 2023 could increase the number of cases filed in district courts because it creates new crimes. This could increase the time spent by district court judicial and nonjudicial personnel in processing, researching, and hearing cases as well as more supervision of offenders performed by court services officers for misdemeanor offenses. The bill could also result in the collection of supervision fees in cases filed under the provisions of the bill, most of which would be deposited into the State General Fund. However, a fiscal effect cannot be determined because the number of additional cases cannot be estimated.

The Kansas Sentencing Commission indicates that enactment of HB 2023 may affect the number of prison beds needed, but the total cannot be determined because the bill creates a new factual circumstance. The Commission notes that the number of convictions would likely be low and would result in probation in most cases. However, a fiscal effect cannot be estimated. The current estimated available bed capacity is 9,428 for males and 936 for females. Based upon the Commission's most recent ten-year projection contained in its *FY 2023 Adult Inmate Prison Population Projections* report, it is estimated that the year-end population will total 7,933 male and 764 female inmates in FY 2023 and 8,043 male and 740 female inmates in FY 2024.

The Department of Corrections indicates enactment of the bill would have no fiscal effect. Any fiscal effect associated with HB 2023 is not reflected in *The FY 2024 Governor's Budget Report*.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam Proffitt", with a stylized flourish at the end.

Adam Proffitt  
Director of the Budget

cc: Vicki Jacobsen, Judiciary  
Randy Bowman, Department of Corrections  
Scott Schultz, Sentencing Commission