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MEMORANDUM

To: House Committee on Judiciary
From: Office of Revisor of Statutes
Date: February 14, 2025
Subject: Bill Brief for HB 2347 (As Introduced)

House Bill 2347 changes the culpability required for certain types of theft and increases the criminal penalty for theft of property that is a motor vehicle to a felony.

The bill amends K.S.A. 21-5801, the crime of theft. Under current law, one variation of theft is, with intent to permanently deprive the owner of the possession, use or benefit of the owner's property or services, obtaining control over stolen property or services knowing the property or services to have been stolen by another. The bill changes this provision to prohibit obtaining control over stolen property or services knowing, or having reason to know, the property or services were stolen from another.

Additionally, the bill adds a new penalty provision for theft of property that is a motor vehicle of the value of less than \$1,500, making such violation a severity level 10, nonperson felony. Current law in subsection (b)(4) provides that theft of property or services of the value of less than \$1,500 is a class A nonperson misdemeanor. Theft of property that is a motor vehicle of the value of at least \$1,500 would continue to be subject to current law penalties in subsections (b)(1) through (b)(3): at least \$1,500 but less than \$25,000 is a severity level 9, nonperson felony; at least \$25,000 but less than \$100,000 is a severity level 7, nonperson felony; \$100,000 or more is a severity level 5, nonperson felony.

The bill would take effect from and after publication in the statute book, July 1, 2025.