

January 20, 2026

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

Dear Representative Humphries:

SUBJECT: Fiscal Note for HB 2413 by Representatives Schwertfeger and Steele

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2413 is respectfully submitted to your committee.

HB 2413 would classify the theft of livestock, defined as cattle or horses, or implements of husbandry as a severity level 5, nonperson felony.

The Board of Indigents Defense Services indicates that the bill would increase agency expenditures on legal counsel and support staff by unknown amounts. The Board estimates that on average, a severity level 5, nonperson felony case requires 57 hours of direct work by an attorney to provide constitutionally adequate representation. Because BIDS' offices currently operate at capacity, any new crimes would increase the number of cases referred to private attorneys for court appointment. Based on the rate of \$125 per hour for assigned counsel, each new severity level 5, nonperson felony case brought to the agency would result in State General Fund expenditures of \$7,125. The agency indicates that under current statute, some of the crimes described in the bill would likely be charged as severity level 9, nonperson felonies, which require 35 hours of attorney work, on average. Therefore, each severity level 5, nonperson felony that would have previously been charged as a severity level 9, nonperson felony would increase agency expenditures on assigned counsel by \$2,750.

The Sentencing Commission indicates that the bill has the potential to increase prison admissions and the number of prison beds needed; however, a precise estimate of this effect cannot be determined. The Department of Corrections indicates that the bill has the potential to increase agency operating expenditures depending on its effect on prison admissions and beds.

The Judiciary indicates that by increasing the severity of penalties for certain crimes, the bill has the potential to decrease the amount of offender supervision performed by court services officers. This would decrease the amount of supervision fee revenue deposited in the Correctional Supervision Fund and the State General Fund. However, the Judiciary is unable to calculate a precise estimate of this effect. Any fiscal effect associated with HB 2413 is not reflected in *The FY 2027 Governor's Budget Report*.

The Kansas Association of Counties and the League of Kansas Municipalities indicate that the bill would not have a fiscal effect on local governments.

Sincerely,



Adam C. Proffitt
Director of the Budget

cc: Ann Sagan, Board of Indigents Defense Services
Jennifer King, Department of Corrections
Scott Schultz, Kansas Sentencing Commission
Trisha Morrow, Judiciary
Jay Hall, Kansas Association of Counties
Wendi Stark, League of Kansas Municipalities