

February 4, 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 2594 by House Committee on Judiciary

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2594 is respectfully submitted to your committee.

HB 2594 would amend the definition of blackmail as it relates to threatened dissemination of intimate images. Under current law, blackmail includes threatening to disseminate images that were obtained in violation of the breach of privacy statute. The bill would remove this requirement and would instead prohibit threatening to disseminate any image of an identifiable person who is nude or engaged in sexual activity. The bill would also explicitly include images that have been created, altered, or modified by artificial intelligence or any digital means to appear to depict an identifiable person, regardless of whether that person was involved in creating the original image. The penalty classifications would not change blackmail by threatening to communicate accusations or statements would remain a severity level 7, nonperson felony, and blackmail by threatened dissemination of images would remain a severity level 4, person felony.

Estimated State Fiscal Effect			
	FY 2026	FY 2027	FY 2028
Expenditures			
State General Fund	--	\$5,783	\$8,229
Fee Fund(s)	--	--	--
Federal Fund	--	--	--
Total Expenditures	--	\$5,783	\$8,229
Revenues			
State General Fund	--	--	--
Fee Fund(s)	--	--	--
Federal Fund	--	--	--
Total Revenues	--	--	--
FTE Positions	--	--	--

The Sentencing Commission estimates that enactment of HB 2594 would result in an increase of one, two, or three adult prison beds needed by the end of FY 2027, depending on the scenario. The scenarios assume one, two, or three additional prison admissions each year as a result of the broadened definition of blackmail. By the end of FY 2036, four, eight, or 12 additional beds would be needed, depending on the scenario. The current estimated available bed capacity is 9,924 for males and 968 for females. Based upon the Commission's most recent ten-year projection contained in its *FY 2026 Adult Inmate Prison Population Projections* report, it is estimated that the year-end population would total 9,176 male and 924 female inmates in FY 2026 and 9,485 male and 953 female inmates in FY 2027.

The Department of Corrections estimates that, based on the first scenario, enactment of the bill would increase State General Fund expenditures by \$5,783 in FY 2027 and \$8,229 in FY 2028. The Department indicates that the estimated cost is based on the marginal cost to house additional inmates, which represents the cost to add one inmate to the system and includes variables such as postage, incentive pay, and food service.

The Judiciary indicates that enactment of the bill could increase the number of cases filed in district courts because the bill would broaden the definition of blackmail. This could increase the time spent by district court judicial and nonjudicial personnel in processing, researching, and hearing cases. The bill could also result in the collection of docket fees, which would be deposited in the State General Fund. However, the Judiciary states that a precise fiscal effect cannot be determined until it has had an opportunity to operate under the bill's provisions. The Board of Indigents Defense Services indicates that enactment of the bill would have no fiscal effect on the agency's operations. Any fiscal effect associated with HB 2594 is not reflected in *The FY 2027 Governor's Budget Report*.

The League of Kansas Municipalities indicates that the bill could increase costs for cities, as municipalities and law enforcement officers would need to develop and implement new procedures related to blackmail, requiring additional time and training. The Kansas Association of Counties indicates that the bill could increase county government expenditures on investigation, enforcement, and court time. However, neither organization was able to provide a specific estimate of the fiscal effect on local governments.

Sincerely,



Adam C. Proffitt
Director of the Budget

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