

March 13, 2026

The Honorable Mike Thompson, Chairperson
Senate Committee on Federal and State Affairs
300 SW 10th Avenue, Room 144-S
Topeka, Kansas 66612

Dear Senator Thompson:

SUBJECT: Fiscal Note for SB 506 by Senate Committee on Federal and State Affairs

In accordance with KSA 75-3715a, the following fiscal note concerning SB 506 is respectfully submitted to your committee.

SB 506 would amend the criminal use of weapons statute and the criminal possession of a weapon by a convicted felon statute. The bill would add juvenile adjudications to the determination of whether a person under 18 years of age who possesses a firearm with a barrel less than 12 inches long has a second or subsequent conviction, which is a severity level 8, nonperson felony. The bill would also restructure the crime of criminal possession of a weapon by a convicted felon by replacing the current offense categories with new categories based on the type of prior conviction and specified lookback periods. Under the provisions of the bill, a person with a prior conviction or adjudication for an off-grid or severity level 1 through 5 person felony, or certain specified prior offenses, would be guilty of a severity level 5, nonperson felony, regardless of when the conviction or adjudication occurred. Under current law, these offenses are generally classified as severity level 8, nonperson felonies. The bill would also establish a 20-year lookback period for prior drug severity level 1 through 3 felonies, a ten-year lookback period for severity level 6 through 10 person felonies, nonperson felonies, and drug severity level 4 or 5 felonies, and a five-year lookback period for domestic violence misdemeanor offenses. Violations in these categories would remain severity level 8, nonperson felonies.

The Sentencing Commission estimates that enactment of SB 506 would increase prison admissions and the number of beds needed, but that the total effect cannot be estimated at this time. The Commission notes that the bill would elevate certain criminal possession of a weapon by a convicted felon offenses from a severity level 8 to a severity level 5, nonperson felony, which would result in longer prison sentences. In FY 2025, there were 196 felony convictions for criminal possession of a weapon by a convicted felon, of which 180 were sentenced at severity level 8. The Commission also notes that the bill would extend the lookback periods during which

individuals with certain prior convictions can be charged with criminal possession of a weapon, which would also increase prison admissions. However, because of limitations in the detail of criminal history in the Commission's sentencing data, a precise estimate cannot be determined. 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 indicates that enactment of the bill would increase both prison admissions and prison beds needed; however, a specific estimate of the fiscal effect cannot be determined at this time. The Judiciary indicates that enactment of the bill could increase agency expenditures because the provisions of the bill would require court services officers to spend additional time reviewing criminal history before sentencing; however, a precise fiscal effect cannot be estimated until the Judiciary has had an opportunity to operate under the provisions of the bill.

The Board of Indigents' Defense Services estimates that enactment of the bill would increase State General Fund expenditures by unknown amounts in FY 2027 and FY 2028. The Board indicates that because the bill would elevate certain criminal possession of a weapon by a convicted felon offenses from a severity level 8 to a severity level 5 felony, each affected case would require an estimated 22 additional hours of defense attorney time to meet the minimum standards of constitutionally effective representation. At an assigned counsel rate of \$125 per hour, each case would cost approximately \$2,750 more than under current law. Any fiscal effect associated with SB 506 is not reflected in *The FY 2027 Governor's Budget Report*.

The League of Kansas Municipalities indicates that enactment of the bill would increase expenditures for city governments because law enforcement officers would need to develop and implement new procedures and undergo additional training. However, the League was not able to provide a specific estimate of the fiscal effect on city governments. The Kansas Association of Counties did not provide an estimate of the fiscal effect on counties.

Sincerely,



Adam C. Proffitt
Director of the Budget

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