

## HOUSE BILL No. 2704

By Committee on Corrections and Juvenile Justice

Requested by Jennifer King on behalf of Kansas Department of Corrections

2-4

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1 AN ACT concerning crimes, punishment and criminal procedure; relating  
2 to credit for time spent incarcerated; providing that certain amendments  
3 are applicable to any sentence computed on or after October 20, 2023;  
4 amending K.S.A. 2025 Supp. 21-6615 and repealing the existing  
5 section.  
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7 *Be it enacted by the Legislature of the State of Kansas:*

8 Section 1. K.S.A. 2025 Supp. 21-6615 is hereby amended to read as  
9 follows: 21-6615. (a) (1) In any criminal action in which the defendant is  
10 convicted, the judge, if the judge sentences the defendant to confinement,  
11 shall direct that for the purpose of computing the defendant's sentence and  
12 parole eligibility and conditional release dates thereunder, that such  
13 sentence is to be computed from a date, to be specifically designated by  
14 the court in the sentencing order of the journal entry of judgment. Such  
15 date shall be established to reflect and shall be computed as an allowance  
16 for the time that the defendant has spent incarcerated pending the  
17 disposition of the defendant's case. The defendant shall be entitled to have  
18 credit applied for each day spent incarcerated. In recording the  
19 commencing date of such sentence the date as specifically set forth by the  
20 court shall be used as the date of sentence and all good time allowances as  
21 are authorized by the secretary of corrections are to be allowed on such  
22 sentence from such date as though the defendant were actually  
23 incarcerated in any of the institutions of the state correctional system.

24 (2) *For any sentence computed on or after October 20, 2023*, when  
25 computing the defendant's sentence, the following shall not be considered  
26 time spent incarcerated pending disposition of the defendant's case:

27 (A) Any time awarded as credit in another case when consecutive  
28 sentences are imposed on a defendant; or

29 (B) any time spent incarcerated in another jurisdiction if no hold has  
30 been issued in such jurisdiction for the case being sentenced.

31 (b) In any criminal action in which probation or assignment to  
32 community corrections is revoked and the defendant is sentenced to  
33 confinement, for the purpose of computing the defendant's sentence and  
34 parole eligibility and conditional release date, the defendant's sentence is  
35 to be computed from a date, hereafter to be specifically designated in the

1 sentencing order of the journal entry of judgment. Such date shall be  
2 established to reflect and shall be computed as an allowance for the time  
3 that the defendant has spent in a residential facility while on probation or  
4 assignment to community correctional residential services program. The  
5 commencing date of such sentence shall be used as the date of sentence  
6 and all good time allowances as are authorized by law are to be allowed on  
7 such sentence from such date as though the defendant were actually  
8 incarcerated in a correctional institution.

9 (c) Such credit is not to be considered to reduce the minimum or  
10 maximum terms of confinement authorized by law for the offense of  
11 which the defendant has been convicted.

12 Sec. 2. K.S.A. 2025 Supp. 21-6615 is hereby repealed.

13 Sec. 3. This act shall take effect and be in force from and after its  
14 publication in the Kansas register.