

SESSION OF 2025

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2192

As Amended by Senate Committee on Judiciary

Brief*

HB 2192, as amended, would amend criminal laws related to domestic battery to require a domestic violence offender assessment for first-time domestic battery offenders, redefine the availability of work release for persons convicted of a second domestic battery offense, and remove the possibility of work release for persons convicted of a third or subsequent offense of domestic battery.

Domestic Violence Offender Assessment

Continuing law requires a person convicted of a second or consecutive offense of domestic battery within five years to undergo a domestic violence offender assessment as a condition of probation, suspension of sentence, parole, or any other release. The bill would require the same assessment as a condition of any similar release for a person convicted of a first offense.

Domestic Battery—Second Offense

The bill would extend the time a person convicted of a second domestic battery offense within five years must be imprisoned before being permitted to participate in certain work release programs.

Under current law, the minimum time served is five days' imprisonment, with a possibility that the person serve the

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <https://klrd.gov/>

remainder of the sentence (at least 90 days) on work release. The bill would raise the mandatory minimum imprisonment time to 20 days, allowing for work release for the remainder of the sentence. [Note: Continuing law allows a court to sentence a second-time offender to a sentence of imprisonment of between 90 days and 1 year.]

Domestic Battery—Third Offense

The bill would remove a provision allowing a person convicted of a third or subsequent domestic battery offense within five years to serve their sentence in a work release program after serving 48 consecutive hours of imprisonment.

Technical Amendments

The bill would also make technical and conforming amendments to ensure consistency in statutory phrasing.

The bill would be in effect upon publication in the *Kansas Register*.

Background

The bill was introduced by the House Committee on Corrections and Juvenile Justice at the request of Representative Thompson.

House Committee on Corrections and Juvenile Justice

In the House Committee hearing, **proponent** testimony was provided by Representative Thompson; representatives of the Johnson County District Attorney's Office and the Kansas Coalition Against Sexual and Domestic Violence (KCSDV); and two private citizens. The proponents generally stated this bill would give victims of domestic battery more time to make adjustments to their lives before their batterer is

potentially put in a position to commit further offenses and that this legislation could save lives.

Written-only neutral testimony was provided by a representative of the City of Topeka.

A representative of the State Board of Indigents' Defense Services (BIDS) provided **opponent** testimony, stating that the bill's use of the word "consecutive" in defining days in confinement could lead to individuals' loss of employment, which could cause the victim and their family to share the punishment meant for the perpetrator.

No other testimony was provided.

The House Committee amended the bill to:

- Require the domestic violence offender assessment be conducted on first-time offenders; and
- Remove the word "consecutive" from provisions of the bill specifying the time an offender must serve.

House Committee of the Whole

The House Committee of the Whole amended the bill to lower the mandatory imprisonment length before work release or other release may be granted for second-time offenders to 20 days from 45 days.

Senate Committee on Judiciary

In the Senate Committee hearing, **proponent** testimony was provided by Representatives Thompson, Resman, and Wasinger; representatives of KCSDV and the Johnson County District Attorney's Office; and two private citizens. The proponents generally stated the bill would offer more

protection to victims of domestic violence from repeated abuse and ultimately save lives.

Written-only proponent testimony was provided by a representative of the Office of the Attorney General.

Opponent testimony was provided by a representative of BIDS, generally stating the bill may further punish victims by removing income from the household, and that current law already allows judges to do what this bill purports to do.

No other testimony was provided.

The Senate Committee amended the bill to make the effective date to be upon publication in the *Kansas Register*.

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on the bill, as introduced, the Judicial Branch indicates the bill would have no fiscal effect on its operations.

The Kansas Association of Counties indicates that the bill has the potential to increase county government expenditures on offender supervision and confinement; however, a precise estimate of this effect cannot be determined.

According to the Prison Bed Impact Assessment prepared by the Kansas Sentencing Commission, the bill, as introduced, would have no impact on prison admissions or beds, as non-grid penalties are served in county jails rather than state prisons.

Domestic battery; domestic violence assessment; work release