

SESSION OF 2026

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2413

As Recommended by House Committee on
Judiciary

Brief*

HB 2413 would amend the crime of theft to include theft of livestock and theft of an implement of husbandry and would amend law related to the forfeiture of contraband property used in the theft of livestock to also apply to the theft of an implement of husbandry.

Under the bill, theft of livestock or an implement of husbandry would be classified as a severity level 5 nonperson felony.

As defined by the bill, the term "livestock" would mean cattle or horses. [Note: The term "implement of husbandry" is defined by existing law to generally include every vehicle designed or adapted and used exclusively for agricultural operations, including feedlots. The term includes, but is not limited to:

- A farm tractor;
- A self-propelled farm implement;
- A fertilizer spreader, nurse tank, or truck permanently mounted with a spreader used for spreading water, dust, or liquid fertilizers or agricultural chemicals;
- A truck mounted with a fertilizer spreader used for spreading animal dung; and

*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/>

- A mixer-feed truck owned and used by a feedlot for dispensing food to livestock in such feedlot.]

The bill would amend law related to forfeiture of contraband to update references to specific formats of books, records, and research products and materials, to include both physical or electronic formats and to amend the definition of "livestock" to only include cattle or horses.

The bill would also make technical and conforming amendments.

Background

The bill was prefiled for introduction on December 11, 2025, by Representatives Schwertfeger and Steele.

House Committee on Judiciary

In the House Committee hearing, **proponent** testimony was provided by Representatives Schwertfeger and Steele; representatives of the Kansas Cattlemen's Association and the Kansas Livestock Association; and a private citizen, who generally stated the importance of farming operations in Kansas and stated that increasing the criminal penalty for theft of livestock and farming implements would deter future crime. Written-only proponent testimony was provided by a representative of the Kansas Farm Bureau.

No other testimony was provided.

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on the bill, the Board of Indigents' Defense Services (Board) indicates enactment of 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 the Board's offices are currently operating at capacity, any new crimes would increase the number of cases referred to private counsel, who is compensated at a rate of \$125 per hour. Based on the rate, each new severity level 5 nonperson felony case would result in State General Fund (SGF) expenditures of \$7,125. The Board further notes that these cases would currently be charged as a severity level 9 nonperson felony, which average 35 hours of attorney work. Therefore, each new case under the bill that would have been charged as a severity level 9 nonperson felony previously would result in increased expenditures of \$2,750.

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

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

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

Crimes; penalties; livestock; implements of husbandry; contraband; forfeiture