

March 11, 2019

The Honorable Fred Patton, Chairperson  
House Committee on Judiciary  
Statehouse, Room 519-N  
Topeka, Kansas 66612

Dear Representative Patton:

**SUBJECT:** Fiscal Note for HB 2241 by Representatives Xu and Erickson

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2241 is respectfully submitted to your committee.

HB 2241 would amend the definition of “rape” to include sexual intercourse with a victim when the victim’s consent was obtained through a knowing misrepresentation made by the offender as to the identity of the offender intended to lead the victim to believe the offender is another person. A violation of this provision would be a severity level two, person felony.

The Office of Judicial Administration states enactment of HB 2241 could increase the number of cases filed in district court because it expands the definition of “rape,” which could result in more time spent by court employees and judges processing and deciding these cases. According to the Office, a fiscal effect cannot be estimated until the Judicial Branch has had an opportunity to operate under the bill’s provisions.

The Kansas Sentencing Commission estimates enactment of HB 2241 could have an effect on prison admission and bed space; however, the Commission does not have enough data to estimate an effect. Any fiscal effect associated with HB 2241 is not reflected in *The FY 2020 Governor’s Budget Report*.

Sincerely,



Larry L. Campbell  
Director of the Budget

cc: Janie Harris, Judiciary  
Scott Schultz, Sentencing Commission  
Linda Kelly, Corrections