

MEMORANDUM

To: John Kirk, Division of the Budget
From: Scott M. Schultz, Executive Director
Date: January 29, 2021
Re: Prison Bed Space Impact Assessment, **SB 59 - Modifying the crimes of selling sexual relations, promoting the sale of sexual relations, and buying sexual relations by changing terminology from "sexual relations" to "a sex act."**

IMPACT ASSESSMENT

This bill has **no** impact on prison admissions, prison beds or the workload of the Commission as the changes do not affect the criminal penalties.

SUMMARY OF THE BILL

Section 1 - Section 18. K.S.A. 68-2255, 21-5401, 21-6328, 21-6419, 21-6420, 21-6421, 21-6422, 22-2515, 22-2530, 22-3901, 22-4902, 22-4906, 38-2202, 38-2287, 41-311, 41-2601, 60-31a02 and 60-4104 are amended to change the language of **sexual relations** to **sex act**.

FINDINGS

- In FY 2019, **five** offenders were convicted of K.S.A. 21-6420 (felony Promoting the Sale of Sexual Relations). Of this number:
 - One was sentenced to prison;
 - Four were sentenced to probation; and
 - All were sentenced at severity level 9.
- In FY 2019, **zero** offenders were convicted of K.S.A. 21-6421 (felony Buying Sexual Relations)
- In FY 2019, **three** offenders were convicted of K.S.A. 21-6422 (felony Commercial Exploitation of a Child). Of this number:
 - Two were sentenced to prison;
 - One was sentenced to probation; and
 - The severity levels of these offenders were:
 - One - N4;
 - One - N5; and
 - One - N6.

IMPACT ASSESSMENT

- This bill has **no** impact on prison admissions, prison beds or the workload of the Commission.