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MEMORANDUM

To: Senate Committee on Judiciary
From: Office of Revisor of Statutes
Date: March 24, 2021
Subject: Bill Brief for HB 2374

House Bill 2374 authorizes the Kansas sentencing commission to change risk assessment cut-off levels for participation in the certified drug abuse treatment program.

Current law in K.S.A. 21-6824 provides that a criminal risk and needs assessment shall assign a high or low risk status to an offender and if the offender is assigned high risk status on a drug abuse assessment and moderate or high risk on the criminal risk and needs assessment, then the offender qualifies for participation in the certified drug abuse treatment program. Section 1 of this bill would change that to allow participation based on risk status that meets criteria determined by the Kansas sentencing commission.

Section 2 amends K.S.A. 75-5291 to provide that offenders who are determined to be an appropriate risk level as determined by the Kansas sentencing commission may be supervised by community correctional services. Current law in subsection (a)(2)(A) requires the offender to be moderate, high or very high risk to be supervised by community correctional services.