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**REVISOR *of* STATUTES**

LEGISLATURE *of* THE STATE *of* KANSAS  
*Legislative Attorneys transforming ideas into legislation.*

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**MEMORANDUM**

To: Senate Committee on Judiciary

From: Jason Thompson, Senior Assistant Revisor of Statutes

Date: March 7, 2018

Subject: Bill Brief for HB 2458, as amended by House Committee

HB 2458 makes changes to the crimes of mistreatment of a dependent adult and mistreatment of an elder person and adds them to the inherently dangerous felony list.

Section 1 amends K.S.A. 21-5402, the statutory list of inherently dangerous felonies, to include mistreatment of a dependent adult and mistreatment of an elder person.

Section 2 amends K.S.A. 21-5417 to add taking personal property or financial resources from a dependent adult or an elder person through a violation of the act for obtaining a guardian or a conservator, or both, to the crime of mistreatment of a dependent adult or an elder person.

The bill as proposed would have: (1) Kept the crimes of mistreatment of a dependent adult and mistreatment of an elder person in separate subsections; (2) added infliction of physical injury, unreasonable confinement or unreasonable punishment upon an elder person to the crime of mistreatment of an elder person; and (3) changed the criminal and monetary penalties to align mistreatment of an elder person with mistreatment of a dependent adult.

The House Committee amendments merged the two mistreatment crimes into one subsection to reach the same goals of aligning the elements and penalties.