

MINUTES OF THE SENATE JUDICIARY COMMITTEE

The meeting was called to order by Chairperson Jeff King at 10:40am on Wednesday, February 03, 2016, 346-S of the Capitol.

All members were present

Committee staff present:

Robert Gallimore, Legislative Research Department
Jason Thompson, Office of Revisor of Statutes
Natalie Scott, Office of Revisor of Statutes
Lauren Douglass, Legislative Research Department
Natalie Nelson, Legislative Research Department
Suzanne Nelson, Kansas Legislative Committee Assistant

Conferees appearing before the Committee:

Leslie Moore, Information Services Division Director, Kansas Bureau of Investigation (KBI);
Brock Abbey, Kansas County and District Attorney Association (KCDAA);

Others in attendance:

[See Attached List](#)

Bill introductions

Chair King called the meeting to order and asked the members and audience for any bill requests or introductions; there were none.

The Chair took a moment to recognize and welcome his daughter, Amelie, and her third grade class who were visiting the Statehouse today.

Chair King reopened the hearing on **Sub HB2151** to accept some additional written-only proponent testimony that was not submitted for the initial hearing on January 27, 2016, as follows:

Phillip Cosby, State Director, American Family Action of Kansas and Missouri; ([Attachment 1](#))

Kathy Ostrowski, State Legislative Director, Kansans for Life. ([Attachment 2](#))

The testimony was distributed to committee members and the audience, then the hearing on **Sub HB2151** was closed.

The Chair turned the committee's attention to **SB362** and opened the hearing.

Hearing on: SB362 — Adding electronically stored information to the criminal justice

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information system; amending the rules of civil procedure concerning official records and authentication.

Jason Thompson gave an overview of the bill and stood for questions; there were none.

Leslie Moore presented testimony supporting **SB362**. She related that the Kansas Criminal Justice Information System (KCJIS) portal has the ability to provide a letter, which authenticates results are true copies received through its search from the record owner, usually in the case of a DUI, the Department of Revenue Motor Vehicle (DMV) records. She explained that passage of this bill will put the DUI Commission's full recommendation in effect and save prosecutors and the DMV costs for labor, supplies, postage, and at no additional cost to the KBI for modifications to the KCJIS portal. ([Attachment 3](#))

Brock Abbey appeared in support of **SB362**. He noted that by changing these statutes, prosecutors would be allowed to admit records of prior DUI convictions that are found by searching KCJIS. These records will make it significantly easier to prosecute repeat DUI offenders. The records received from a KCJIS search are an exception to hearsay, and also allows those same records to be authenticated for the purpose of admission in a court of law. ([Attachment 4](#))

The proponents stood for and answered questions from Senator Petersen. The Chair pointed to proponent written-only testimony from:

Kansas Assistant Solicitor General Amanda Voth ([Attachment 5](#))

Ed Klumpp, Legislative Liaison for the Kansas Associations of Chiefs of Police, Sheriffs, and Peace Officers ([Attachment 6](#))

There being no additional questions, and no other oral or written proponent, opponent, or neutral testimony, the Chair closed the hearing on **SB362**.

Possible action on bills previously heard

Chair King turned the committee's attention to action on **SB327**. Jason Thompson gave a brief reminder on this bill, which pertains to the hearsay statutes. Jason stood for questions; there were none.

*Senator Haley moved to table **SB327**; seconded by Senator Smith; the motion passed.*

The Chair turned the committee's attention to action on **SB334**. Jason Thompson provided a brief refresher on the bill, which comes from the Attorney General's office and pertains to notice and opportunity to appear or intervene before any statute or constitutional provision would be declared invalid or unconstitutional by any courts in the state. Jason stood for questions. There were none.

*Senator Smith moved to recommend **SB334** favorably for passage; seconded by Senator Love; the motion carried.*

Unless specifically noted, the individual remarks recorded herein have not been transcribed verbatim. Individual remarks as reported herein have not been submitted to the individuals appearing before the committee for editing or corrections.

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Chair King announced that the committee will work **SB362** next week. Meetings are scheduled for Tuesday, Wednesday, and Thursday. The Chair also indicated that the open meetings bills will be worked in two weeks.

Chair King turned the committee's attention to approval of committee minutes for January 12, 14, and 20, 2016. *Senator Pettey moved, seconded by Senator McGinn, that the minutes be approved; the motion passed.*

There being no other business for today, the meeting adjourned at 11:07 am. The next meeting will be Tuesday, February 9, 2016.