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**SENATE BILL No. 269**

By Senators Lee, Barone, Feleciano, Gilstrap, Gooch, Hensley and  
Steineger

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10 AN ACT concerning crimes, criminal procedure and punishment; relat-  
11 ing to confinement in county jail; reimbursement; amending K.S.A.  
12 2000 Supp. 21-4602, 21-4603 and 21-4603d and repealing the existing  
13 sections.

14  
15 *Be it enacted by the Legislature of the State of Kansas:*

16 Section 1. K.S.A. 2000 Supp. 21-4602 is hereby amended to read as  
17 follows: 21-4602. As used in K.S.A. 21-4601 through 21-4621, and amend-  
18 ments thereto:

19 (a) "Court" means any court having jurisdiction and power to sen-  
20 tence offenders for violations of the laws of this state.

21 (b) "Suspension of sentence" means a procedure under which a de-  
22 fendant, found guilty of a crime, upon verdict or plea, is released by the  
23 court without imposition of sentence. The release may be with or without  
24 supervision in the discretion of the court. In felony cases, the court may  
25 include confinement in a county jail not to exceed 60 days, which need  
26 not be served consecutively, as a condition of suspension of sentence  
27 pursuant to subsection (b)(4) of K.S.A. 21-4603 and amendments thereto.  
28 *In such cases where confinement in a county jail exceeds 30 days, the*  
29 *secretary of corrections shall reimburse such county at a rate of \$45 per*  
30 *day for such days of confinement exceeding 30 days.*

31 (c) "Probation" means a procedure under which a defendant, found  
32 guilty of a crime upon verdict or plea, is released by the court after im-  
33 position of sentence, without imprisonment except as provided in felony  
34 cases, subject to conditions imposed by the court and subject to the su-  
35 pervision of the probation service of the court or community corrections.  
36 In felony cases, the court may include confinement in a county jail not  
37 to exceed 60 days, which need not be served consecutively, as a condition  
38 of an original probation sentence and up to 60 days in a county jail upon  
39 each revocation of the probation sentence pursuant to subsection (b)(3)  
40 of K.S.A. 21-4603 and amendments thereto. *In such cases where con-*  
41 *finement in a county jail exceeds 30 days, the secretary of corrections shall*  
42 *reimburse such county at a rate of \$45 per day for such days of confine-*  
43 *ment exceeding 30 days.*

1 (d) "Parole" means the release of a prisoner to the community by the  
2 Kansas parole board prior to the expiration of such prisoner's term, sub-  
3 ject to conditions imposed by the board and to the secretary of correc-  
4 tion's supervision. Parole also means the release by a court of competent  
5 jurisdiction of a person confined in the county jail or other local place of  
6 detention after conviction and prior to expiration of such person's term,  
7 subject to conditions imposed by the court and its supervision. Where a  
8 court or other authority has filed a warrant against the prisoner, the Kan-  
9 sas parole board or paroling court may release the prisoner on parole to  
10 answer the warrant of such court or authority.

11 (e) "Correctional institution" means the Lansing correctional facility,  
12 Hutchinson correctional facility, Topeka correctional facility, Norton cor-  
13 rectional facility, Ellsworth correctional facility, Winfield correctional fa-  
14 cility, Osawatomie correctional facility, Larned correctional mental health  
15 facility, Toronto correctional work facility, Stockton correctional facility,  
16 Wichita work release facility, El Dorado correctional facility, and any  
17 other correctional institution established by the state for the confinement  
18 of offenders, and under control of the secretary of corrections.

19 (f) "Community correctional services program" means a program  
20 which operates under the community corrections act and to which a def-  
21 endant is assigned for supervision, confinement, detention, care or treat-  
22 ment, subject to conditions imposed by the court. A defendant assigned  
23 to a community correctional services program shall be subject to the con-  
24 tinuing jurisdiction of the court and in no event shall be considered to be  
25 in the custody of or under the supervision of the secretary of corrections.

26 (g) "Postrelease supervision," for crimes committed on or after July  
27 1, 1993, means the same as provided in K.S.A. 21-4703 and amendments  
28 thereto.

29 Sec. 2. K.S.A. 2000 Supp. 21-4603 is hereby amended to read as  
30 follows: 21-4603. (a) Whenever any person has been found guilty of a  
31 crime and the court finds that an adequate presentence investigation can-  
32 not be conducted by resources available within the judicial district, in-  
33 cluding mental health centers and mental health clinics, the court may  
34 require that a presentence investigation be conducted by the Topeka  
35 correctional facility or by the state security hospital. If the offender is sent  
36 to the Topeka correctional facility or the state security hospital for a pre-  
37 sentence investigation under this section, the correctional facility or hos-  
38 pital may keep the offender confined for a maximum of 60 days, except  
39 that an inmate may be held for a longer period of time on order of the  
40 secretary, or until the court calls for the return of the offender. While  
41 held at the Topeka correctional facility or the state security hospital the  
42 defendant may be treated the same as any person committed to the sec-  
43 retary of corrections or secretary of social and rehabilitation services for

1 purposes of maintaining security and control, discipline, and emergency  
2 medical or psychiatric treatment, and general population management  
3 except that no such person shall be transferred out of the state or to a  
4 federal institution or to any other location unless the transfer is between  
5 the correctional facility and the state security hospital. The correctional  
6 facility or the state security hospital shall compile a complete mental and  
7 physical evaluation of such offender and shall make its findings and rec-  
8 ommendations known to the court in the presentence report.

9 (b) Except as provided in subsection (c), whenever any person has  
10 been found guilty of a crime, the court may adjudge any of the following:

11 (1) Commit the defendant to the custody of the secretary of correc-  
12 tions or, if confinement is for a term less than one year, to jail for the  
13 term provided by law;

14 (2) impose the fine applicable to the offense;

15 (3) release the defendant on probation subject to such conditions as  
16 the court may deem appropriate, including orders requiring full or partial  
17 restitution. In felony cases, the court may include confinement in a county  
18 jail not to exceed 60 days, which need not be served consecutively, as a  
19 condition of an original probation sentence and up to 60 days in a county  
20 jail upon each revocation of the probation sentence. *In such cases where*  
21 *confinement in a county jail exceeds 30 days, the secretary of corrections*  
22 *shall reimburse such county at a rate of \$45 per day for such days of*  
23 *confinement exceeding 30 days;*

24 (4) suspend the imposition of the sentence subject to such conditions  
25 as the court may deem appropriate, including orders requiring full or  
26 partial restitution. In felony cases, the court may include confinement in  
27 a county jail not to exceed 60 days, which need not be served consecu-  
28 tively, as a condition of suspension of sentence. *In such cases where con-*  
29 *finement in a county jail exceeds 30 days, the secretary of corrections shall*  
30 *reimburse such county at a rate of \$45 per day for such days of confine-*  
31 *ment exceeding 30 days;*

32 (5) assign the defendant to a community correctional services pro-  
33 gram subject to the provisions of K.S.A. 75-5291, and amendments  
34 thereto, and such conditions as the court may deem appropriate, includ-  
35 ing orders requiring full or partial restitution;

36 (6) assign the defendant to a conservation camp for a period not to  
37 exceed six months;

38 (7) assign the defendant to a house arrest program pursuant to K.S.A.  
39 21-4603b and amendments thereto;

40 (8) order the defendant to attend and satisfactorily complete an al-  
41cohol or drug education or training program as provided by subsection  
42 (3) of K.S.A. 21-4502 and amendments thereto;

43 (9) order the defendant to pay the administrative fee authorized by

1 K.S.A. 2000 Supp. 22-4529 and amendments thereto, unless waived by  
2 the court; or

3 (10) impose any appropriate combination of subsections (b)(1)  
4 through (b)(9).

5 In addition to or in lieu of any of the above, the court shall order the  
6 defendant to submit to and complete an alcohol and drug evaluation, and  
7 pay a fee therefor, when required by subsection (4) of K.S.A. 21-4502  
8 and amendments thereto.

9 In addition to any of the above, the court shall order the defendant to  
10 reimburse the state general fund for all or a part of the expenditures by  
11 the state board of indigents' defense services to provide counsel and other  
12 defense services to the defendant. In determining the amount and  
13 method of payment of such sum, the court shall take account of the  
14 financial resources of the defendant and the nature of the burden that  
15 payment of such sum will impose. A defendant who has been required  
16 to pay such sum and who is not willfully in default in the payment thereof  
17 may at any time petition the court which sentenced the defendant to  
18 waive payment of such sum or any unpaid portion thereof. If it appears  
19 to the satisfaction of the court that payment of the amount due will im-  
20 pose manifest hardship on the defendant or the defendant's immediate  
21 family, the court may waive payment of all or part of the amount due or  
22 modify the method of payment. The amount of attorney fees to be in-  
23 cluded in the court order for reimbursement shall be the amount claimed  
24 by appointed counsel on the payment voucher for indigents' defense serv-  
25 ices or the amount prescribed by the board of indigents' defense services  
26 reimbursement tables as provided in K.S.A. 22-4522, and amendments  
27 thereto, whichever is less.

28 In imposing a fine the court may authorize the payment thereof in  
29 installments. In releasing a defendant on probation, the court shall direct  
30 that the defendant be under the supervision of a court services officer. If  
31 the court commits the defendant to the custody of the secretary of cor-  
32 rections or to jail, the court may specify in its order the amount of res-  
33 titution to be paid and the person to whom it shall be paid if restitution  
34 is later ordered as a condition of parole or conditional release.

35 The court in committing a defendant to the custody of the secretary of  
36 corrections shall fix a maximum term of confinement within the limits  
37 provided by law. In those cases where the law does not fix a maximum  
38 term of confinement for the crime for which the defendant was convicted,  
39 the court shall fix the maximum term of such confinement. In all cases  
40 where the defendant is committed to the custody of the secretary of  
41 corrections, the court shall fix the minimum term within the limits pro-  
42 vided by law.

43 (c) Whenever any juvenile felon, as defined in K.S.A. 38-16,112, prior

1 to its repeal, has been found guilty of a class A or B felony, the court shall  
2 commit the defendant to the custody of the secretary of corrections and  
3 may impose the fine applicable to the offense.

4 (d) (1) Except when an appeal is taken and determined adversely to  
5 the defendant as provided in subsection (d)(2), at any time within 120  
6 days after a sentence is imposed, after probation or assignment to a com-  
7 munity correctional services program has been revoked, the court may  
8 modify such sentence, revocation of probation or assignment to a com-  
9 munity correctional services program by directing that a less severe pen-  
10 alty be imposed in lieu of that originally adjudged within statutory limits  
11 and shall modify such sentence if recommended by the Topeka correc-  
12 tional facility unless the court finds and sets forth with particularity the  
13 reasons for finding that the safety of members of the public will be jeop-  
14 ardized or that the welfare of the inmate will not be served by such  
15 modification.

16 (2) If an appeal is taken and determined adversely to the defendant,  
17 such sentence may be modified within 120 days after the receipt by the  
18 clerk of the district court of the mandate from the supreme court or court  
19 of appeals.

20 (e) The court shall modify the sentence at any time before the expi-  
21 ration thereof when such modification is recommended by the secretary  
22 of corrections unless the court finds and sets forth with particularity the  
23 reasons for finding that the safety of members of the public will be jeop-  
24 ardized or that the welfare of the inmate will not be served by such  
25 modification. The court shall have the power to impose a less severe  
26 penalty upon the inmate, including the power to reduce the minimum  
27 below the statutory limit on the minimum term prescribed for the crime  
28 of which the inmate has been convicted. The recommendation of the  
29 secretary of corrections, the hearing on the recommendation and the  
30 order of modification shall be made in open court. Notice of the rec-  
31 ommendation of modification of sentence and the time and place of the  
32 hearing thereon shall be given by the inmate, or by the inmate's legal  
33 counsel, at least 21 days prior to the hearing to the county or district  
34 attorney of the county where the inmate was convicted. After receipt of  
35 such notice and at least 14 days prior to the hearing, the county or district  
36 attorney shall give notice of the recommendation of modification of sen-  
37 tence and the time and place of the hearing thereon to any victim of the  
38 inmate's crime who is alive and whose address is known to the county or  
39 district attorney or, if the victim is deceased, to the victim's next of kin if  
40 the next of kin's address is known to the county or district attorney. Proof  
41 of service of each notice required to be given by this subsection shall be  
42 filed with the court.

43 (f) After such defendant has been assigned to a conservation camp

1 but prior to the end of 180 days, the chief administrator of such camp  
2 shall file a performance report and recommendations with the court. The  
3 court shall enter an order based on such report and recommendations  
4 modifying the sentence, if appropriate, by sentencing the defendant to  
5 any of the authorized dispositions provided in subsection (b), except to  
6 reassign such person to a conservation camp as provided in subsection  
7 (b)(6).

8 (g) Dispositions which do not involve commitment to the custody of  
9 the secretary of corrections and commitments which are revoked within  
10 120 days shall not entail the loss by the defendant of any civil rights.  
11 Placement of offenders pursuant to subsection (b)(6) in a conservation  
12 camp established by the secretary of corrections shall not entail the loss  
13 by the defendant of any civil rights.

14 (h) This section shall not deprive the court of any authority conferred  
15 by any other Kansas statute to decree a forfeiture of property, suspend  
16 or cancel a license, remove a person from office, or impose any other civil  
17 penalty as a result of conviction of crime.

18 (i) An application for or acceptance of probation, suspended sentence  
19 or assignment to a community correctional services program shall not  
20 constitute an acquiescence in the judgment for purpose of appeal, and  
21 any convicted person may appeal from such conviction, as provided by  
22 law, without regard to whether such person has applied for probation,  
23 suspended sentence or assignment to a community correctional services  
24 program.

25 (j) When it is provided by law that a person shall be sentenced pur-  
26 suant to K.S.A. 21-4628, and amendments thereto, the provisions of this  
27 section shall not apply.

28 (k) The provisions of this section shall apply to crimes committed  
29 before July 1, 1993.

30 Sec. 3. K.S.A. 2000 Supp. 21-4603d is hereby amended to read as  
31 follows: 21-4603d. (a) Whenever any person has been found guilty of a  
32 crime, the court may adjudge any of the following:

33 (1) Commit the defendant to the custody of the secretary of correc-  
34 tions if the current crime of conviction is a felony and the sentence pre-  
35 sumes imprisonment, or the sentence imposed is a dispositional departure  
36 to imprisonment; or, if confinement is for a misdemeanor, to jail for the  
37 term provided by law;

38 (2) impose the fine applicable to the offense;

39 (3) release the defendant on probation if the current crime of con-  
40 viction and criminal history fall within a presumptive nonprison category  
41 or through a departure for substantial and compelling reasons subject to  
42 such conditions as the court may deem appropriate. In felony cases except  
43 for violations of K.S.A. 8-1567 and amendments thereto, the court may

1 include confinement in a county jail not to exceed 60 days, which need  
2 not be served consecutively, as a condition of an original probation sen-  
3 tence and up to 60 days in a county jail upon each revocation of the  
4 probation sentence, or community corrections placement. *In such cases*  
5 *where confinement in a county jail exceeds 30 days, the secretary of cor-*  
6 *rections shall reimburse such county at a rate of \$45 per day for such*  
7 *days of confinement exceeding 30 days;*

8 (4) assign the defendant to a community correctional services pro-  
9 gram as provided in K.S.A. 75-5291, and amendments thereto, or through  
10 a departure for substantial and compelling reasons subject to such con-  
11 ditions as the court may deem appropriate, including orders requiring full  
12 or partial restitution;

13 (5) assign the defendant to a conservation camp for a period not to  
14 exceed six months as a condition of probation followed by a six-month  
15 period of follow-up through adult intensive supervision by a community  
16 correctional services program, if the offender successfully completes the  
17 conservation camp program;

18 (6) assign the defendant to a house arrest program pursuant to K.S.A.  
19 21-4603b and amendments thereto;

20 (7) order the defendant to attend and satisfactorily complete an al-  
21cohol or drug education or training program as provided by subsection  
22 (3) of K.S.A. 21-4502 and amendments thereto;

23 (8) order the defendant to repay the amount of any reward paid by  
24 any crime stoppers chapter, individual, corporation or public entity which  
25 materially aided in the apprehension or conviction of the defendant; repay  
26 the amount of any costs and expenses incurred by any law enforcement  
27 agency in the apprehension of the defendant, if one of the current crimes  
28 of conviction of the defendant includes escape, as defined in K.S.A. 21-  
29 3809 and amendments thereto or aggravated escape, as defined in K.S.A.  
30 21-3810 and amendments thereto; or repay the amount of any public  
31 funds utilized by a law enforcement agency to purchase controlled sub-  
32 stances from the defendant during the investigation which leads to the  
33 defendant's conviction. Such repayment of the amount of any such costs  
34 and expenses incurred by a law enforcement agency or any public funds  
35 utilized by a law enforcement agency shall be deposited and credited to  
36 the same fund from which the public funds were credited to prior to use  
37 by the law enforcement agency;

38 (9) order the defendant to pay the administrative fee authorized by  
39 K.S.A. 2000 Supp. 22-4529 and amendments thereto, unless waived by  
40 the court;

41 (10) impose any appropriate combination of (1), (2), (3), (4), (5), (6),  
42 (7), (8) and (9); or

43 (11) suspend imposition of sentence in misdemeanor cases.

1 In addition to or in lieu of any of the above, the court shall order the  
2 defendant to pay restitution, which shall include, but not be limited to,  
3 damage or loss caused by the defendant's crime, unless the court finds  
4 compelling circumstances which would render a plan of restitution un-  
5 workable. If the court finds a plan of restitution unworkable, the court  
6 shall state on the record in detail the reasons therefor.

7 If the court orders restitution, the restitution shall be a judgment  
8 against the defendant which may be collected by the court by garnishment  
9 or other execution as on judgments in civil cases. If, after 60 days from  
10 the date restitution is ordered by the court, a defendant is found to be in  
11 noncompliance with the plan established by the court for payment of  
12 restitution, and the victim to whom restitution is ordered paid has not  
13 initiated proceedings in accordance with K.S.A. 60-4301 *et seq.* and  
14 amendments thereto, the court shall assign an agent procured by the  
15 attorney general pursuant to K.S.A. 75-719 and amendments thereto to  
16 collect the restitution on behalf of the victim. The administrative judge  
17 of each judicial district may assign such cases to an appropriate division  
18 of the court for the conduct of civil collection proceedings.

19 In addition to or in lieu of any of the above, the court shall order the  
20 defendant to submit to and complete an alcohol and drug evaluation, and  
21 pay a fee therefor, when required by subsection (4) of K.S.A. 21-4502  
22 and amendments thereto.

23 In addition to any of the above, the court shall order the defendant to  
24 reimburse the county general fund for all or a part of the expenditures  
25 by the county to provide counsel and other defense services to the de-  
26 fendant. Any such reimbursement to the county shall be paid only after  
27 any order for restitution has been paid in full. In determining the amount  
28 and method of payment of such sum, the court shall take account of the  
29 financial resources of the defendant and the nature of the burden that  
30 payment of such sum will impose. A defendant who has been required  
31 to pay such sum and who is not willfully in default in the payment thereof  
32 may at any time petition the court which sentenced the defendant to  
33 waive payment of such sum or any unpaid portion thereof. If it appears  
34 to the satisfaction of the court that payment of the amount due will im-  
35 pose manifest hardship on the defendant or the defendant's immediate  
36 family, the court may waive payment of all or part of the amount due or  
37 modify the method of payment.

38 In imposing a fine the court may authorize the payment thereof in  
39 installments. In releasing a defendant on probation, the court shall direct  
40 that the defendant be under the supervision of a court services officer. If  
41 the court commits the defendant to the custody of the secretary of cor-  
42 rections or to jail, the court may specify in its order the amount of res-  
43 titution to be paid and the person to whom it shall be paid if restitution



1 is later ordered as a condition of parole or conditional release.

2 When a new felony is committed while the offender is incarcerated  
3 and serving a sentence for a felony or while the offender is on probation,  
4 assignment to a community correctional services program, parole, con-  
5 ditional release, or postrelease supervision for a felony, a new sentence  
6 shall be imposed pursuant to the consecutive sentencing requirements of  
7 K.S.A. 21-4608, and amendments thereto, and the court may sentence  
8 the offender to imprisonment for the new conviction, even when the new  
9 crime of conviction otherwise presumes a nonprison sentence. In this  
10 event, imposition of a prison sentence for the new crime does not con-  
11 stitute a departure. When a new felony is committed while the offender  
12 is on release for a felony pursuant to the provisions of article 28 of chapter  
13 22 of the Kansas Statutes Annotated, a new sentence may be imposed  
14 pursuant to the consecutive sentencing requirements of K.S.A. 21-4608  
15 and amendments thereto, and the court may sentence the offender to  
16 imprisonment for the new conviction, even when the new crime of con-  
17 viction otherwise presumes a nonprison sentence. In this event, imposi-  
18 tion of a prison sentence for the new crime does not constitute a  
19 departure.

20 Prior to imposing a dispositional departure for a defendant whose of-  
21 fense is classified in the presumptive nonprison grid block of either sen-  
22 tencing guideline grid, prior to sentencing a defendant to incarceration  
23 whose offense is classified in grid blocks 5-H, 5-I or 6-G of the sentencing  
24 guidelines grid for nondrug crimes or in grid blocks 3-E, 3-F, 3-G, 3-H,  
25 3-I, 4-E or 4-F of the sentencing guidelines grid for drug crimes, or prior  
26 to revocation of a nonprison sanction of a defendant whose offense is  
27 classified in the presumptive nonprison grid block of either sentencing  
28 guideline grid or grid blocks 5-H, 5-I or 6-G of the sentencing guidelines  
29 grid for nondrug crimes or in grid blocks 3-E, 3-F, 3-G, 3-H, 3-I, 4-E or  
30 4-F of the sentencing guidelines grid for drug crimes, the court shall  
31 consider placement of the defendant in the Labette correctional conser-  
32 vation camp, conservation camps established by the secretary of correc-  
33 tions pursuant to K.S.A. 75-52,127, and amendment thereto or a com-  
34 munity intermediate sanction center. Pursuant to this paragraph the  
35 defendant shall not be sentenced to imprisonment if space is available in  
36 a conservation camp or a community intermediate sanction center and  
37 the defendant meets all of the conservation camp's or a community in-  
38 termediate sanction center's placement criteria unless the court states on  
39 the record the reasons for not placing the defendant in a conservation  
40 camp or a community intermediate sanction center.

41 The court in committing a defendant to the custody of the secretary of  
42 corrections shall fix a term of confinement within the limits provided by  
43 law. In those cases where the law does not fix a term of confinement for

1 the crime for which the defendant was convicted, the court shall fix the  
2 term of such confinement.

3 In addition to any of the above, the court shall order the defendant to  
4 reimburse the state general fund for all or a part of the expenditures by  
5 the state board of indigents' defense services to provide counsel and other  
6 defense services to the defendant. In determining the amount and  
7 method of payment of such sum, the court shall take account of the  
8 financial resources of the defendant and the nature of the burden that  
9 payment of such sum will impose. A defendant who has been required  
10 to pay such sum and who is not willfully in default in the payment thereof  
11 may at any time petition the court which sentenced the defendant to  
12 waive payment of such sum or any unpaid portion thereof. If it appears  
13 to the satisfaction of the court that payment of the amount due will im-  
14 pose manifest hardship on the defendant or the defendant's immediate  
15 family, the court may waive payment of all or part of the amount due or  
16 modify the method of payment. The amount of attorney fees to be in-  
17 cluded in the court order for reimbursement shall be the amount claimed  
18 by appointed counsel on the payment voucher for indigents' defense serv-  
19 ices or the amount prescribed by the board of indigents' defense services  
20 reimbursement tables as provided in K.S.A. 22-4522, and amendments  
21 thereto, whichever is less.

22 (b) Dispositions which do not involve commitment to the custody of  
23 the secretary of corrections shall not entail the loss by the defendant of  
24 any civil rights. Placement of offenders in a conservation camp established  
25 by the secretary of corrections pursuant to K.S.A. 75-52,127, and amend-  
26 ments thereto, as a nonimprisonment disposition shall not entail the loss  
27 by the defendant of any civil rights.

28 (c) This section shall not deprive the court of any authority conferred  
29 by any other Kansas statute to decree a forfeiture of property, suspend  
30 or cancel a license, remove a person from office, or impose any other civil  
31 penalty as a result of conviction of crime.

32 (d) An application for or acceptance of probation or assignment to a  
33 community correctional services program shall not constitute an acqui-  
34 escence in the judgment for purpose of appeal, and any convicted person  
35 may appeal from such conviction, as provided by law, without regard to  
36 whether such person has applied for probation, suspended sentence or  
37 assignment to a community correctional services program.

38 (e) The secretary of corrections is authorized to make direct place-  
39 ment to the Labette correctional conservation camp or a conservation  
40 camp established by the secretary pursuant to K.S.A. 75-52,127, and  
41 amendments thereto, of an inmate sentenced to the secretary's custody  
42 if the inmate: (1) Has been sentenced to the secretary for a probation  
43 revocation, as a departure from the presumptive nonimprisonment grid

1 block of either sentencing grid, or for an offense which is classified in  
2 grid blocks 5-H, 5-I, or 6-G of the sentencing guidelines grid for nondrug  
3 crimes or in grid blocks 3-E, 3-F, 3-G, 3-H, 3-I, 4-E, or 4-F of the sen-  
4 tencing guidelines grid for drug crimes; and (2) otherwise meets admis-  
5 sion criteria of the camp. If the inmate successfully completes a conser-  
6 vation camp program, the secretary of corrections shall report such  
7 completion to the sentencing court and the county or district attorney.  
8 The inmate shall then be assigned by the court to six months of follow-  
9 up supervision conducted by the appropriate community corrections serv-  
10 ices program. The court may also order that supervision continue there-  
11 after for the length of time authorized by K.S.A. 21-4611 and  
12 amendments thereto.

13 (f) When it is provided by law that a person shall be sentenced pur-  
14 suant to K.S.A. 1993 Supp. 21-4628, prior to its repeal, the provisions of  
15 this section shall not apply.

16 Sec. 4. K.S.A. 2000 Supp. 21-4602, 21-4603 and 21-4603d are hereby  
17 repealed.

18 Sec. 5. This act shall take effect and be in force from and after its  
19 publication in the statute book.

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