

## SENATE BILL No. 125

By Senator Journey

1-19

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9 AN ACT relating to criminal procedure; concerning bail for certain  
10 persons.

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12 *Be it enacted by the Legislature of the State of Kansas:*

13 Section 1. (a) Any person whose presence in the United States is in  
14 violation of federal immigration laws and is arrested for:

15 (1) An off-grid felony, no bail;

16 (2) a severity level 1, 2 or 3 person felony or a severity level 1 or 2  
17 drug felony, bail shall be at least \$250,000 cash or surety;

18 (3) a person felony, except for felonies provided in paragraphs (1)  
19 and (2), bail shall be at least \$50,000 cash or surety;

20 (4) a nonperson felony, bail shall be at least \$25,000 cash or surety;  
21 and

22 (5) or class A misdemeanor, bail shall be at least \$10,000 cash or  
23 surety;

24 (b) The bail under subsection (a), shall be required unless the court  
25 determines on the record that the defendant is not likely to reoffend, an  
26 appropriate intensive pre-trial supervision program is available and the  
27 defendant agrees to comply with the mandate of such pre-trial supervision  
28 and can show by clear and convincing evidence that the defendant will  
29 remain in the jurisdiction.

30 (c) The provisions of this section shall be part of and supplemental  
31 to the Kansas criminal code.

32 Sec. 2. This act shall take effect and be in force from and after its  
33 publication in the statute book.