

SENATE JUDICIARY COMMITTEE

2006 Members

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Vice Chairperson.....Senator Terry Bruce

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- Michael Heim, Kansas Legislative Research Department
 - Jerry Donaldson, Kansas Legislative Research Department
 - Jill Wolters, Revisor of Statutes' Office
 - Helen Pedigo, Revisor of Statutes' Office
 - Karen A. Clowers, Committee Secretary

2006
SENATE JUDICIARY COMMITTEE

COMMITTEE ACTION INDEX

3/31/06

BILL NUMBER	SUBJECT	DATE OF HEARING/ DISCUSSION	DATE OF FINAL ACTION BY FULL COMMITTEE
SB 6	Abolition of the Kansas death penalty. (Sen. Haley)	Hrg. 1/26/05 Rereferred	PWR 2/7/05
SB 14	Definition of mentally retarded for the purposes of imposing the death penalty; pre-trial hearing and special verdict question to the jury. (Spec.Com.on Judiciary)	Hrg. 1/25/05	Tabled 2/14/05
SB 28	Death penalty; if aggravating circumstances outweigh mitigating circumstances, the sentence is death; if circumstances are equal, the defendant is not sentenced to death. (Judiciary Com.)	Hrg. 1/24/05 Rereferred	PWR 2/7/05
SB 29	Removing the limitation on amount of property damages recovered in action for the negligent operation of a motor vehicle. (Judiciary Com.)		No Action
SB 32	Persons with a cognitive disability not eligible for death penalty. (Judiciary Com.)	Hrg. 1/25/05	Tabled 2/14/05
SB 38	Public records made subject to subpoena, discovery or other process. (Electns. & Local Government)	Hrg. 3/7/05 Rereferred No FA per O'Connor	No Final Action
SB 40	Probate code; notice to surviving spouse; responsibility shifted from court to administrator, executor, petitioner or attorney representing such person (Judiciary Com.)	Hrg. 1/11/06	BPA 1/11/06
SB 53	Expert and opinion testimony. (Judiciary Com.) Refer to Judicial Council	Hrg. 2/2/05	No Final Action
SB 61	Divorce/child custody; shared residency, child resides with both parents on an equal/near equal basis. (Judiciary Com.) Refer to Judicial Council	Hrg. 2/3/05 Hrg. 1/12/06	No Final Action
SB 83	Sexual battery; striking the spousal exemption. (Judiciary Com.)	Hrg. 2/9/05	Tabled 2/18/05
SB 96	Punitive damage awards; splitting awards. (Judiciary Com.)	Hrg. 2/8/05	Tabled 2/18/05
SB 97 KIOGA Interim	Bill by Financial Institutions and Insurance Construction contracts; indemnification agreements.	Hrg. 2/10/05 Referred	No Final Action
SB111	Increasing marriage license fees; creating the domestic violence and sexual assault centers fund. (Judiciary Com.)	Hrg. 2/9/05	No Final Action
SB 135	Cruelty to animals, certain crimes a felony. (Sen. Haley)	Donovan Sub-Com.Rpt. on 2/18/05 No Rec.	No Final Action
SB 136	Transfer of certain real property in Wyandotte County upon death of owner to certain heirs. (Sen. Haley)	Donovan Sub-Com.Rpt. on 2/18/05 Recom. Not be passed out of Comtee.	No Final Action

BILL NUMBER	SUBJECT	DATE OF HEARING/ DISCUSSION	DATE OF FINAL ACTION BY FULL COMMITTEE
SB 137	Deprivation of rights under color of law. (Sen. Haley)	Donovan Sub-Com.Rpt. on 2/18/05 No Rec.	No Final Action
Sub SB 149	Motor carrier transportation contracts; indemnification clauses contained therein void (Judiciary Com.)		BPA 2/6/06
SB 162	Nonprison sanction of certified drug treatment; include attempt/conspiracy/solicitation to possess drugs; possession the most severe crime of conviction; court not required to sentence if defendant non-resident of Kansas or illegally in the U.S. (Judiciary Com.)		No Action
SB 171	Elimination of out of home services for youth ages 16 and up. (Fed. & State Affairs)	Donovan Sub-Com. Rpt. on 2/18/05 Recom. tabling bill	No Final Action
SB 179	Enhancing penalties for offenses against children. (Judiciary Com.)	Donovan Sub-Com.Rpt. on 2/18/05 Recom. Be passd. favbly	Rereferred BPA 3/9/05 withdrawn from calendar rereferred to Judiciary 3/17/05
SB 182	As part of the criminal disposition, judge may require inmate to reimburse county or sheriff for medical expenses		No Action
SB 199	Elimination of pre-adjudication custody of an offender to the commissioner. (Judiciary Com.)		No Action per Don Jordan
SB 200	Fingerprinting and photographing juvenile offenders (Judiciary Com.)	Hrg. 1/19/06	BP & CC 1/19/06 rereferred 2/1/06
SB 201	Juvenile allowed to be placed in adult jail if juvenile, on record, waived right to a hearing on motion requesting prosecution as an adult (Judiciary Com.)	Hrg. 1/19/06	BP 1/19/06
SB 202	Traffic in contraband in a correctional institution, defined by rules and regulations of the commissioner of juvenile justice. (Judiciary Com.)		No Action
SB 203	Committing the juvenile offender directly to the custody of the commissioner for a period of confinement and aftercare. (Judiciary Com.)		No Action
SB 206	Videotaping felony interrogations. (Sen. Haley)		No Action
SB 213	Controlled substances; drug paraphernalia; definition. (Judiciary Com.)		No Action
SB 220	Domestic battery; allowing one diversion during lifetime. (Judiciary Com.) (Barnett)	Donovan SC Hrg. 2/16/06	BPA 2/17/06
SB 221	Mentally ill persons subject to involuntary commitment not allowed to possess a firearm; certification of restoration (Judiciary Com.)	Hrg. 1/30/06	BPA 2/6/06
SB 224	Judicial discretion for 120 day call back in certain situations	Hrg. 2/15/05	No Final Action

BILL NUMBER	SUBJECT	DATE OF HEARING/ DISCUSSION	DATE OF FINAL ACTION BY FULL COMMITTEE
SB 229	Child support enforcement; financial institution and insurance match and levy; suspension of driver's licenses; withholding hunting and fishing licenses; streamlining procedures. (Fed. & State Affairs Com.)		No Action
SB 230	In child in need of care code, prohibit discrimination based on disability. (Jud Com.)		No Action
SB 232	Creating the crimes of identity theft, identity fraud and vital record fraud. (Sen. Peterson)	No Hrg.; Unnecessary	No Action
SB 240	Guardians and conservators; procedures. (Ways and Means Com.)	Hrg. 3-13-06	No Final Action
SB 247	Selling or manufacturing controlled substances near day care, public park or playgrounds or in presence of person under 18 years of age. (Judiciary Com.)		No Action
SB 248	Inquisitions; prosecutor may issue subpoenas if is informed or has knowledge of violation of law. (Judiciary Com.)		No Action
SB 249	Search warrants for internet service providers operating out-of-state. (Judiciary Com.)		No Action
SB 261	Revised Kansas juvenile justice code (Judiciary Com.)	Hrg. 1/24/06	BPA 1/30/06
SB 287	Crime to drive with certain amounts of certain drugs in one's urine or blood. (Com. On Fed. & State Affairs)		No Action
SB 307	Presumed imprisonment at minimum security correctional facility for certain persons convicted of burglary and construction of additional housing therefor. (Sen. Barnett)		No Action (per Barnett)
Sub SB 323	Eminent domain; restricting government authority to take property. (D. Schmidt, etal.)	Hrg. 1/31/06 (P) Hrg. 2/1/06 (O) Hrg. 2/3/06, cont	BP 3/14/06
SB 326	Civil penalties for false claims against the state	Hrg. 1/10/06	BPA 1/12/06
SB 334	Life imprisonment or hard 25 and lifetime parole with electronic monitoring for rape and aggravated sodomy if victim under 14 and offender over 18; lifetime post-release supervision for sexually violent crimes (Schmidt, etal.) Also Substituted into HB 2576 on 3/20/06	Hrg. 1/17/06	BPA 1/19/06
SB 335	Evidence of collateral source benefits allowed in personal injury cases where damages requested (Spec. Com on Judiciary)	Hrg. 2/7/06	BNP 2/20/06
SB 336	Uniform Real Property Electronic Recording Act	Hrg. 1/30/06	BPA 1/30/06
SB 337	Compensation for certain judicial branch employees, docket fees. (Spec. Com on Judiciary)	Hrg. 2/14/06	BPA 2/21/06
Sub SB 338	Contracts; indemnification clauses and additional insured requirements in certain contracts void. ((Spec. Com on Judiciary)	Hrg. 1/25/06	BPA 2/6/06

BILL NUMBER	SUBJECT	DATE OF HEARING/ DISCUSSION	DATE OF FINAL ACTION BY FULL COMMITTEE
SB 339	Joint committee on corrections and juvenile justice oversight; repealing the sunset of December 31, 2005	Hrg. 1/25/06	BP & CC 1/25/06
SB 341	DUI excessive blood or breath-alcohol concentration, penalties. (Judiciary Com.)	Hrg. 1/26/06	Tabled 2/20/06 referred to interim
SB 342	Obstruction of a medicaid fraud investigation and forfeiture of proceeds	Hrg. 1/11/06	BPA 1/19/06
SB 343	Authorizing certain prosecutors and retired prosecutors to carry concealed firearms. (Judiciary Com.)		No Action
SB 351	Drug possession sentencing, drug abuse assessment after sentencing, not presentence; sentencing nonresidents and offenders not lawfully present in the U.S. (Jt Com Corr. & Juv. Justice Oversight)	Bruce SC Hrg. 2/15/06	BP 2/17/06
SB 352	Uniform commercial code; filing of financing statements	Hrg. 1/26/06	BPA 2/6/06
SB 353	Authorizing electronic access to publicly available district court records. (Jud. Com.)	Hrg. 2/16/06	Incorporated into SB 337
SB 354	Guardians and conservators, reports and accountings. (Judiciary Com.)	Bruce SC Hrg. 2/15/06	BP & CC 2/17/06
SB 355	Probate code; appeals. (Jud. Com.)	Donovan SC Hrg. 2/16/06	BPA 2/17/06
SB 361	Kansas air quality act, appeal agency action to court of appeals (Utilities)	Hrg. 2/7/06	BPA 2/21/06
SB 363	Repeals penalties for sale, manufacture or distribution of imitation firearms (Journey)		No Action
SB 366	Departure sentence; aggravating factors include offender playing a major role as the organizer (Petersen)	Donovan SC Hrg. 2/16/06	BPA 2/17/06
SB 380	Amendments to the residential landlord and tenant act; inventory of premises, security deposit, automatic renewal clauses (Jud. Com.)	Hrg. 2/8/06	BPA 2/21/06
SB 381	Pleas; court advisory that conviction or guilty plea may have immigration, naturalization consequences (Jud. Com.)	Hrg. 2/8/06	BPA 2/9/06
SB 398	Eminent domain; appeal perfected upon filing notice	Hrg. 1/31/06	BPA 2/6/06
SB 399	Joint committee on special claims against the state; information filed and evidence presented not admissible in subsequent court proceedings (Bruce, Gilstrap, etal.)		No Action
SB 400	Adoption; assertion of parental rights more than 60 days after finalized adoption; court consideration (Journey)	Hrg. 3/1/06	No Final Action per Journey
SB 401	Theft of a rifle, shotgun or firearm valued at less than \$1,000 (Journey)		No Action

BILL NUMBER	SUBJECT	DATE OF HEARING/ DISCUSSION	DATE OF FINAL ACTION BY FULL COMMITTEE
SB 402	Cruelty to animals; intentional or negligent; mandatory imprisonment and psychological evaluations in certain circumstances; offender registration (Journey, etal.)	Hrg. 2/2/06	No Final Action
SB 406	Registered sex offenders, motor vehicle identification markings (Journey)		No Action
SB 407	Courts; increasing jurors' fees (Jud. Com.)	Hrg. 2/8/06	BPA 2/08/06
SB 408	Cruelty to animals; harming or killing certain dogs; nongrid felony; mandatory sentence (Jud. Com.)	Hrg. 2/2/06	BPA 2/20/06
SB 415	Search warrant; affidavit or testimony supporting probable cause; availability to public and homeowner, when; statute of limitations tolled (Journey)		No Action
SB 431	Expungement of DUI ordinance violations and DUI convictions including diversions; prohibition (Emler)	Bruce SC Hrg. 2/15/06	BPA 2/17/06
SB 432	Prosecution of juvenile traffic offenders; traffic offense includes violation of requirement of motor vehicle liability insurance coverage (Emler)	Bruce SC Hrg. 2/15/06	BP 2/17/06
SB 434	Extending Johnson county adult offender community supervision program to July 1, 2008 (Jud Com)	Vratil SC Hrg. 2/15/06	BP 2/17/06
SB 435	Requiring a standardized risk assessment tool be used as part of a presentence investigation (Jud Com)	Vratil SC Hrg. 2/15/06	BPA 2/17/06
SB 441	Annual driver's license or identification card for registered sex offenders (Journey)		No Action
SB 445	In any civil action, excluding personal injury actions, the prevailing party recovers reasonable attorney fees (Jud Com)	Hrg. 2/9/06	BNP 2/22/06
SB 446	Eminent domain; fairness in economic development act (Jud Com)	Hrg. 1/31/06 (P) Hrg. 2/1/06 (O) Hrg. 2/3/06, cont	Tabled 3/14/06
SB 450	Court not grant child custody/residency to a parent who is residing with registered offender or person convicted of child abuse; material change of circumstances (Brownlee)	Bruce SC Hrg. 2/15/06	Tabled 2/17/06
SB 451	Medicaid cards, medicaid pharmacy claim forms and criminal acts and violations (Huelskamp & Petersen)	Donovan SC Hrg. 2/16/06	BPA 2/17/06
SB 452	Civil commitment of sexually violent predators, transitional and conditional release (Pine, etal.)		No Action
SB 455	Offenders required to be registered for certain crimes involving minors shall not reside within 2,000 feet of a school or licensed child care facility; class A nonperson misdemeanor (Schmidt, etal.)		Interim Study

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SB 458	Criminal street gang prevention act (Schodorf, etal)	Hrg. 2/9/06	BPA 2/22/06
SB 462	Increasing domestic relation docket fees by \$9 to fund child exchange and visitation centers (Jud Com)	Donovan SC Hrg. 2/16/06	BPA 2/17/06
SB 466	Negligence; ordinary care required when gun possession at issue in personal injury or wrongful death action (Journey, Apple, etal.)		No Action
SB 471	Traffic violation; failing to report an accident (Jud Com)		No Action
SB 472	Children in need of care; reports of alleged abuse or neglect to the county or district attorney as well as SRS (Jud Com)		No Action
SB 473	Rape and victim under 18, off-grid person felony, sentence of hard 25 (Jud Com)		No Action
SB 474	Certain sex offenses, second or subsequent convictions, mandatory hard 40 (Jud Com)		No Action
SB 476	Sex offender policy board established within the Kansas criminal justice coordinating council (Ways & Means)		No Action
SB 477	Prohibition against requiring submission to polygraph exam for sex offense victim (Jud Com)		No Action
SB 478	Purchase or consumption of alcoholic beverage by a minor; penalties (Jud Com)		No Action
SB 479	Preliminary screening tests; grounds; notice (Jud Com)	Hrg. 2/15/06	BP 2/22/06
SB 487	Establishing a statewide automated victim notification system (SAVIN) (Allen, Vratil, etal)	Hrg. 2/15/06	Referred to Criminal Justice Coordinating Council 2/22/06
SB 493	Economic development; eminent domain; procedure; compensation (Commerce)	Hrg. 2/14/06	Tabled 3/14/06
SB 494	Victim identity protection act (Jud Com)		No Action
SB 505	Electronic access to court records; exemption from fees (Jud Com)	Hrg. 2/14/06	BPA 2/21/06
SB 506	Persons required to register pursuant to the Kansas offender registration act; annual driver's license or identification card; residency restrictions; juvenile offenders required to register; sexually violent predators (Jud Com)	Hrg. 2/13/06	BPA 2/22/06
SB 507	Jury fee (Jud Com)	Hrg. 2/16/06	BPA 2/21/06
SB 512	Silicosis Claims Act (Financial Institutions & Insurance) Referred to Finance & Insurance		Referred 2/8/06
SB 517	Unlawfully hosting minors consuming alcoholic liquor or cereal malt beverage, penalty (Brownlee, Apple, etal.)		No Action

BILL NUMBER	SUBJECT	DATE OF HEARING/ DISCUSSION	DATE OF FINAL ACTION BY FULL COMMITTEE
SB 520	Return of summons or process copy mailed to attorney for requesting party or to requesting party (Jud Com)		No Action
SB 521	Reinstatement of articles of incorporation (Jud Com)		No Action
SB 523	Criminal history record access; board of healing arts (Jud Com)		No Action
SB 536	Medicaid reimbursement (Jud Com)	Donovan SC Hrg. 2/16/06	BPA 2/17/06
SB 548	Recovery of certain damages in antitrust cases (Ways & Means)	Hrg. 3/16/06	No Final Action
SB 550	Prescribing certain duties on judicial council to provide certain legal documents (Jud Com)	Hrg. 2/20/06	BP 2/20/06
SB 556	Sexual conduct; intent to abuse, humiliate, harass or degrade (Federal and State Affairs)		No Action
SB 562	Municipal court, accused person's competency to stand trial, mental health evaluation (Journey)		No Action
SB 568	Delay of phased in increase of court of appeals to 14 judges (Ways & Means)	Hrg. 3/16/06	BP 3/20/06
	Senate Concurrent Resolutions		
SCR 1612	Eminent domain; proposed constitutional amendment restricting government authority to take property. (D. Schmidt, etal.)	Hrg. 1/31/06 (P) Hrg. 2/1/06 (O) Hrg. 2/3/06	No Action
SCR 1613	Constitutional amendment concerning appropriation of money by the legislative branch. (Huelskamp, etal.)		No Action
SCR 1615	School finance; amount and manner of distribution determined by legislature (Journey)		No Action
SCR 1616	Eminent domain; proposed constitutional amendment restricting government authority to take property (Elections & Local Govt)	Hrg. 1/31/06 (P) Hrg. 2/1/06 (O) Hrg. 2/3/06, cont	No Action
SCR 1622	Constitutional amendment subjecting supreme court appointees to confirmation by the senate; eliminating the supreme court nominating commission		No Action
	House Bills		
Sub HB 2004	Crimes of trafficking in the first degree and trafficking in the second degree. (Com. On Corrections & Juv. Justice)		No Action
Sub HB 2038	Multidisciplinary teams for adults. (Com. on Corrections & Juv. Justice)	Hrg. 3/16/05	Tabled 3/21/05
Sub HB 2051	Timing of offender release notification. (Com. on Corrections & Juv. Justice)	Hrg. 3/16/05	Tabled 3/22/05
HB 2104	UCC securities interest in oil and gas production. (Judiciary Com.)	Hrg. 3/3/05 Hrg. 2/28/06	BPA 3/6/06

BILL NUMBER	SUBJECT	DATE OF HEARING/ DISCUSSION	DATE OF FINAL ACTION BY FULL COMMITTEE
Sub HB 2113	Municipal courts collecting fines and court costs. (Judiciary Com.)	Hrg. 3/8/05	No Final Action
HB 2200	Child in need of care code, certain persons could not be excluded from certain proceedings		No Action
HB 2231	Defendant may petition the court to modify certain drug offense prison sentences to certified drug abuse treatment programs. (Rep. McCreary)	Hrg. 2/16/06 FA 2/28/06	Tabled 2/28/06
HB 2300	Unborn victims of violence act. (Com. on Federal & State Affairs)		No Action
HB 2352	Revised Kansas code for care of children	Hrg. 1/18/06	BPA 1/26/06
HB 2414	Penalties for battery against a law enforcement officer and aggravated battery against a law enforcement officer (Peck)	Hrg. 3/7/06	Tabled 3/14/06
HB 2485	Prohibited acts by notaries public related to services offered to non-English speaking persons	Vratil SC Hrg. 2/15/06	BPA 2/17/06
HB 2529	Grand juries; petitions summoning. (Com on Appropriations)		No Action
HB 2554	Effective through June 30, 2008, DNA specimens collected if arrested for person felony or drug severity level 1 or 2; after July 1, 2008, DNA collected for all felonies; probable cause for arrest; destroyed if acquitted (Colloton, etal.)	Hrg. 3/7/06	BPA 3/13/06
HB 2555	Bill by Jt Comm Corrections & Juvenile Justice Oversight Criminal justice recodification, rehabilitation and restoration project committee	Vratil SC Hrg. 2/15/06	BPA 2/17/06
HB 2562	Adoption; waiver of home study upon request of a relative of the child (Owens)	Hrg. 2/28/06	BP 3/6/06
HB 2576	Persistent sex offender, life without possibility of parole; hard 25 or 50 for certain sex offenders; task force to review feasibility of GPS monitoring of certain offenders (Kilpatrick) Substituted SB 334 & SB 243	Hrg. 3/15/06	BPA 3/20/06
HB 2577	Use of deadly force to protect persons and property, when justified (Carlson)		No Action
HB 2606	Theft of services (Com. on Environment)	Hrg. 2/28/06	BP 3/6/06
HB 2607	Amendments to the Kansas uniform trust code	Hrg. 3/2/06	BP 3/6/06
HB 2609	Small claims; forms set forth by judicial council not office of judicial administration	Vratil SC Hrg. 2/15/06	BP & CC 2/17/06
HB 2610	Civil procedure; service outside the state; submitting to jurisdiction (Jud. Com.)	Hrg. 3/1/06	BPA 3/6/06
HB 2616	State may request a preliminary examination on a felony charge (Jud. Com.)	Hrg. 3/1/06	BPA 3/6/06

BILL NUMBER	SUBJECT	DATE OF HEARING/ DISCUSSION	DATE OF FINAL ACTION BY FULL COMMITTEE
HB 2617	Violation of a protective order includes an order issued in a criminal case ordering the defendant to refrain from having contact with another person (Jud. Com.)	Hrg. 3/1/06	BP 3/6/06
HB 2626	Missing persons and unidentified persons and human remains, reporting and investigation of (Judy Morrison)	Hrg. 3/2/06	BP 3/6/06
HB 2663	Kansas uniform securities act; regulations (Financial Inst)	Hrg. 3/6/06	BP 3/13/06
HB 2665	In adoption proceedings, in termination of parental rights, court shall consider the best interest of the child (Brunk)	Hrg. 3/2/06	BP 3/6/06
HB 2701	Definition of drug paraphernalia (House Jud)	Hrg. 3/7/06	Tabled 3/14/06
HB 2704	Number of small claims procedures filings per year (Otto)	Hrg. 3/2/06	BP 3/6/06
Sub HB 2706	Sub for HB 2706 by Committee on Judiciary--Contempt of court; child support arrearage, driver's license suspension (H Jud)	Hrg. 3/8/06	BPA 3/22/06
HB 2748	Traffic violation; failing to report an accident (Hutchins)	Hrg. 3/8/06	BPA 3/20/06
HB 2754	Miki's law; establishment of registry of persons convicted of felonies using a deadly weapon (Fed & State Affairs)		No Action
HB 2761	Crime victims compensation; reasons compensation reduced or denied (House Jud)	Hrg. 3/8/06	BPA 3/20/06
HB 2819	Time limit for transfer of certain offenders to reception and diagnostic unit (Appropriations)		No Action
HB 2880	Increasing docket fees on criminal and traffic cases in district and municipal court; money goes to the Kansas law enforcement training center (House Jud)		No Action
HB 2893	Criminal offenders in custody, health care costs (House Jud)	Hrg. 3/8/06	BPA 3/20/06
HB 2912	Promoting obscenity; deleting provisions concerning devices promoted to emphasize their sexually provocative aspects (House Jud)		No Action
HB 2916	Driving privileges, DUI; ignition interlock, proof of installation (House Jud)	Hrg. 3/9/06	BPA 3/20/06
HB 2938	Driving while suspended or revoked, habitual violator third or subsequent offense, nonperson felony, sentence in county jail (Weber)	Hrg. 3/9/06	No Action

CONFIRMATIONS:

Appointment: Roger S. Villaneueva, *Crime Victims Compensation Board*, effective Mar 16, 2006
Confirmation recommended, Mar 20, 2006

Reappointments: