

SENATE JUDICIARY COMMITTEE

2010 Members

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- Athena Andaya, Kansas Legislative Research Department
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 - Lauren Douglass, Kansas Legislative Research Department
 - Jason Thompson, Revisor of Statutes' Office
 - Doug Taylor, Revisor of Statutes' Office
 - Sean Ostrow, Revisor of Statutes' Office
 - Karen A. Clowers, Committee Assistant

SENATE JUDICIARY COMMITTEE
COMMITTEE ACTION INDEX

5/5/10

BILL NUMBER	SUBJECT	DATE OF HEARING/ DISCUSSION	DATE OF FINAL ACTION BY FULL COMMITTEE
SB 15	Court ordered custody to commissioner of juvenile justice	Hrg 1/29/09 cont 2/10/09	Referred to Interim Study
SB 17	Videotaping felony interrogations	Hrg 1/22/09	Tabled 2/17/09
SB 18	The crime of deprivation of rights under color of law	Hrg 1/21/09	No action
SB 27	Presumption of paternity; genetic testing	Hrg 1/21/09	Referred to Judicial Council
SB 32	Evidence in civil actions; expression of apology by health care providers	Hrg 1/28/09	Referred to Judicial Council
SB 67	Creating the crime of endangering a dependent adult; amending mistreatment of a dependent adult	Hrg 1/27/09	Tabled 2/9/09 Sub for SB 67 BPA 2/16/10
SB 88	Children; permanency and priority of orders	Hrg. 1/29/09 Cont. 2/16/09	Referred to Interim
SB 110	Competency proceedings for criminal defendants; examination of the defendant		
SB 112	Kansas act against discrimination amendments regarding disability	Hrg 2/4/09	Tabled 2/9 /09
SB 155	Center for health and environmental statistics employees; fingerprinting, criminal history record checks	Hrg. 2/12/09	Tabled 2/17/09
SB 157	Driver improvement clinics, fees, disposition thereof; correctional services special revenue fund	Hrg. 2/10/09	Amended into 2009 SB 278
SB 188	Wage garnishment; providing definition of "immediate family"; explaining required affidavit in the event of sickness preventing work		
SB 208	Abolishing the death penalty	Hrg. 2/26/09 2/27/09 Hrg. 1/16-21/10 in conjunction with SB 375	BPA 3/5/09 Referred back on 3/16/09 Referred to Judicial Council
SB 211	Providing journalists with privilege concerning the disclosure of certain information	Hrg. 2/13/09	Referred to Judicial Council in 2009 Amended contents put in HB 2585 BPA 3/18/10
SB 216	Revision of Kansas cigarette and tobacco products act		

BILL NUMBER	SUBJECT	DATE OF HEARING/ DISCUSSION	DATE OF FINAL ACTION BY FULL COMMITTEE
SB 232	Civil liability for worthless checks, definition of giving a worthless check		
SB 233	Adoption, relinquishment and consent		
SB 234	Civil procedure; garnishment	Hrg. 1/26/10	BP 2/10/10
SB 235	Uniform adult guardianship and protective proceedings jurisdiction act		Referred to Judicial Council Recommend be replaced with SB 372
SB 236	Interest on judgments		
SB 270	Individual district options to consolidate community corrections and court services	Hrg. 3/2/09	Referred to Judicial Council
SB 272	Incompetent to stand trial; commitment, release procedures	Hrg. 3/2/09 Hrg. 3/3/09	Referred to Judicial Council
SB 277	Funding the recodification commission from judicial council funds; judicial performance commission not required to evaluate retired senior judges	Hrg. 3/2/09	Contents were inserted into HB 2164
Sub SB 278	Creating the Kansas DUI commission; correctional services special revenue fund; driver improvement clinics; penalties for driving under the influence; information sent to KBI central repository		
SB 279	Mandatory minimum sentence for involuntary manslaughter while driving under the influence of alcohol drugs	Hrg. 3/12/09	Tabled for referral to the DUI Commission
SB 280	Suspension and restriction of driving privileges for test refusal, test failure or alcohol or drug-related conviction for persons under 21	Hrg. 3/12/09	No action
SB 281	Sentencing for severity level 4 drug crimes; probation or assignment to community correctional services up to 18 months	Hrg. 3/12/09	Contents added to Senate Sub for HB 2097 3/18/09
SB 282	Court of appeals; delay 14th judge position to January, 2011	Hrg. 3/13/09	Contents added to HB 2164 3/18/09
SB 283	Criminal procedure; community corrections, high risk or needs offenders determined by the risk assessment tool, LSI-R; delay use until January 1, 2011	Hrg. 3/4/09	Contents added to Senate Sub for HB 2097 3/18/09
SB 289	Increasing penalty for leaving the scene of a vehicle accident which results in death to match penalty for involuntary manslaughter while driving under the influence		Will refer to the DUI Commission

BILL NUMBER	SUBJECT	DATE OF HEARING/ DISCUSSION	DATE OF FINAL ACTION BY FULL COMMITTEE
SB 292	Civil procedure, liens; requiring notice of commencement and notice of furnishings to be filed prior to filing certain commercial property liens	Hrg. 3/12/09 Cont. 3/13/09	Replaced with SB 469
SB 305	Kansas tort claims act; charitable health care providers	Hrg. 1/27/10	BPA 2/11/10
SB 344	Sentencing commission restructuring		
SB 345	Increasing the probation services fee and community correctional services fee for persons convicted of felonies or misdemeanors	Hrg. 2/2/10	BP 2/16/10
SB 346	No transfer of offenders with 10 or less days remaining on sentence to department of corrections custody	Hrg. 2/2/10	BPA 2/15/10
SB 351	Prohibiting texting while driving; penalties	Hrg. 1/28/10	BPA 2/16/10
SB 352	Qualifications to become a law enforcement officer; crimes committed when person was under 21 years of age		
SB 353	Coercing employment; peonage; human trafficking; aggravated human trafficking; forfeiture	Hrg. 1/27/10	BPA 2/10/10
SB 360	Removing limitation on number of small claims that may be filed in a calendar year	Hrg. 1/25/10	BP 1/25/10
SB 363	Allowing debtors to exempt earned income tax credits during bankruptcy proceedings	Hrg. 1/26/10	BP 2/10/10
SB 368	Amending penalties for driving under the influence of alcohol or drugs	Hrg. 2/1/10	BP 2/10/10
SB 369	Open records; reconciling a conflict	Hrg. 1/27/10	BP 2/10/10 Referred back 2/11/10 BP & CC 2/12/10
SB 370	Enhanced civil penalties for consumer protection act violations when victim is a veteran, surviving spouse of a veteran or immediate family member of deployed military person	Hrg. 1/26/10	BPA 2/12/10
SB 371	Increasing the property damage amount that would allow the prevailing party to receive attorney fees	Hrg. 1/25/10	BP 1/25/10
SB 372	Amending the Kansas Act for Obtaining a Guardian or a Conservator, or both	Hrg. 2/5/10	BP 2/17/10
SB 373	Clarifying which municipal ordinance violations require the payment of an assessment	Hrg. 1/22/10	BP 2/10/10
SB 374	Adopting a Kansas apology law	Hrg. 2/1/10	BPA 2/16/10/ Referred back 2/18/10

BILL NUMBER	SUBJECT	DATE OF HEARING/ DISCUSSION	DATE OF FINAL ACTION BY FULL COMMITTEE
SB 375	Abolishing the death penalty; creating the crime of aggravated murder	Hrg. 1/19-21/10	BPA 1/29/10
SB 376	Changing the name of the act for judicial review and civil enforcement of agency actions to the Kansas judicial review act	Hrg. 1/22/10	BP & Place on Consent Calendar 2/3/10
SB 381	Criminal law; justified threat or use of force	Hrg. 2/2/10	BPA 2/12/10
SB 386	Preventing transmission of unredacted personal identifiers during discovery; repealing a statute concerning recorded statements of child victims	Hrg. 2/4/10	BPA 2/12/10
SB 398	Indemnification; amendments to certificate of incorporation or corporate bylaws	Hrg. 2/5/10	BPA 2/11/10
SB 399	Controlled substances; aggravated endangering a child; enhanced penalties for distributing on park property and distributing to a child or pregnant person	Hrg. 2/5/10	Tabled 2/15/10 Un tabled 2/17/10 BPA 2/25/10 Re-referred on 3/9/10
SB 400	Requiring plaintiff or plaintiff's attorney to notify defendants of payment of appraisers' award within 15 days	Hrg. 2/4/10	Tabled 2/17/10
SB 407	Prescribing penalties for violations of liquor enforcement tax by licensees and persons required to be licensed	Hrg. 2/8/10	Tabled 2/17/10
SB 411	Criminal possession of a firearm	Hrg. 2/4/10	BP 2/12/10
SB 434	Increasing criminal penalties for unlawful sexual relations	Hrg. 2/1/10	BPA 2/12/10
SB 435	Criminal procedure; search incident to arrest	Hrg. 3/3/10	BPA 3/9/10
SB 436	Children in need of care; runaways	Hrg. 3/3/10 Hrg. Canceled	
SB 437	Secretary of state; resident agent filing requirements	Hrg. 2/11/10	BP & CC 2/11/10
SB 438	Business trusts; required filings with the secretary of state	Hrg. 2/11/10	BP & CC 2/11/10
SB 439	Kansas register; contents, procedure for submitting materials for publication	Hrg. 2/11/10	BP & CC 2/11/10
SB 440	Repealing statutes on registration of insignias by secretary of state	Hrg. 2/11/10	BP & CC 2/11/10
SB 441	Business entity transactions act; limited partnership mergers	Hrg. 2/11/10	BP & CC 2/11/10
SB 442	Court fees, surcharge to fund costs of non-judicial personnel	Hrg. 2/9/10	Amended bill placed in HB 2476 on 2/16/10
SB 444	Child witness protection act		

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SB 455	Civil commitment of sexually violent predators; expert testimony	Hrg. 2/8/10	BP 2/16/10
SB 456	Creating the Kansas robo-call privacy act.	Hrg. 2/12/10	BPA 2/16/10
SB 457	Barring privately retained attorneys from collecting reimbursement from the state for expert services provided for an indigent defendant except in capital murder cases	Hrg. 2/8/10	
SB 458	Providing for the use of interactive video testimony in hearings or trials where there is a report concerning a forensic examination	Hrg. 2/8/10	BPA 2/17/10
SB 459	Juvenile offenders; jury trials	Hrg. 2/12/10	BPA 2/17/10
SB 460	Children; permanency and priority of orders	Hrg. 2/12/10	BPA 2/17/10
SB 468	Amending petition requirements for summoning a grand jury	Hrg. 2/9/10	BPA 2/17/10 referred back on 2/19/10 Tabled 3/18/10
SB 469	Civil procedure, commercial property liens; state construction registry, notice of commencement and notice of furnishings	Hrg. 3/3/10	Refer to Judicial Council 3/4/10
SB 471	Changing crime of harassment by telephone to harassment by telecommunications	Hrg. 2/15/10	BPA 2/16/10
SB 488	Office of vital statistics; fingerprinting and criminal history records check required for new employees	Hrg. 2/15/10	BPA 2/17/10 rereferred 2/24/10 BPA 3/18/10
SB 494	Providing for the exercise of the functions of sheriff by the undersheriff of a county	Hrg. 2/23/10	BPA 2/25/10
SB 504	Personal and family protection act; amendments	Hrg. 2/26/10	
SB 519	Allowing for the use of electronic communication and electronic filing in certain instances	Hrg. 2/15/10	BPA 2/17/10
SB 520	Employment of county and city prisoners, credit on fines and costs earned	Hrg. 2/24/10	BPA 3/12/10
SB 521	Amending qualifications for secretary of corrections	Hrg. 2/24/10	Tabled 2/25/10
SB 522	Consent to adoption and termination of parental rights; factors to consider in weighing whether a parent must consent to a stepparent adoption; factors to consider when terminating a parent's right	Hrg. 2/23/10	Refer to Judicial Council 2/25/10
SB 523	Enacting the Kansas racketeer influenced and corrupt organization act (Kansas RICO act)	Hrg. 2/26/10	BPA 3/4/10

BILL NUMBER	SUBJECT	DATE OF HEARING/ DISCUSSION	DATE OF FINAL ACTION BY FULL COMMITTEE
SB 524	Increasing penalties for unlawful sexual relations and requiring offender registration; increasing penalties when staff traffic in dangerous contraband in a correctional facility		This bill is same as SB 434 which was passed out of cmt
SB 528	Shifting the burden of proof in the property valuation appeals process.	Hrg. 2/9/10	Tabled 2/17/10
SB 533	Electronic citations, complaints and notices to appear	Hrg. 2/15/10	BP 2/17/10
SB 534	Criminal procedure; correctional supervision fees; pretrial supervision fees	Hrg. 2/23/10 Hrg. Canceled	
SB 535	Requiring certain conditions for violent offenders and sex offenders placed on parole or post release supervision		
SB 537	Liens and claims against property; actions concerning validity	Hrg. 2/11/10	BPA 2/12/10
SB 549	Creating a private cause of action for victims of child pornography	Hrg. 3/8/10	Amended into HB 2509 BPA 3/17/10
SB 587	Secretary of corrections; rules and regulations; inmate access to information containing personally identifying information	Hrg. 5/3/10	Tabled 5/3/10
	Resolutions		
SCR 1605	State constitutional amendment; deleting mental illness disqualification from voting.	Hrg. 3/20/09	Replaced w/ SCR 1625
SCR 1609	Urging the Congress and the President to refrain from exercising powers beyond those constitutionally delegated.	Hrg. 3/20/09	No action
SCR 1612	Constitutional amendment to have supreme court justices appointments subject to consent of the senate.		
SCR 1613	Constitutional amendment concerning appropriation of money by the legislative branch.		
SCR 1615	Urging congress and the President to respect the 10th amendment and refrain from passing laws intruding on states' rights.	Hrg. 1/15/10	BPA 2/3/10
SCR 1621	Expenditure of public moneys to finance litigation against the state.	Hrg. 1/25/10	BP 2/3/10
SCR 1622	State constitutional amendment; repealing legislative authority to exclude persons with mental illness from voting	Hrg. 1/22/10	BP 2/10/10
SCR 1626	Constitutional amendment to preserve right to choose health care services and health insurance plan	Sub-Committee report 3/18/10	BNP 3/18/10 Reconsider 3/19 BNP 3/19/10

BILL NUMBER	SUBJECT	DATE OF HEARING/ DISCUSSION	DATE OF FINAL ACTION BY FULL COMMITTEE
SCR 1628	Requesting the supreme court to conduct a survey and study of the Kansas court system; judicial study advisory committee		
HCR 5026	Requesting the supreme court to conduct a survey and study of the Kansas court system; judicial study advisory committee		
	House Bills		
HB 2039	Identification of defendant by unique DNA profile sufficient for reasonable certainty requirement of warrant.	Hrg. 3/9/09	Content deleted Inserted SB 360 BPA 3/18/10
HB 2084	Cities; annexation; strip annexations restricted.		
HB 2226	Allowing the attorney general or the county or district attorney to request of the district court the convening of a grand jury to investigate alleged violations of serious felonies		
Sub for HB 2238	Amending the fairness in private construction contract act and the fairness in public construction contract regarding retainage	Hrg. 3/12/10 Hrg. Canceled	Bill to be referred to Judicial Council 3/12/10
Sub HB 2340	Legislative review of parole board factors and rationale for granting or denying parole		
HB 2364	Court procedure; time limitations for filing	Hrg. 3/2/10	BP & CC 3/4/10
HB 2383	Transferring moneys from certain fee funds to the state general fund		Referred 4/30/10 for use as shell
HB 2412	Functional incapacitation release; procedures; notice; conditions; supervision upon release	Hrg. 3/10/10	BPA 3/12/10
HB 2418	Carbon dioxide reduction act; limiting liability of the state of Kansas	Hrg. 3/2/10	BP 3/4/10
HB 2432	Criminal law; justified threat or use of force	Hrg. 3/10/10	BPA 3/12/10
HB 2435	Certain crimes in which the penalty is an off grid felony, attempt, conspiracy and criminal solicitation are also off grid; aggravated habitual sex offender	Hrg. 3/5/10	BPA 3/9/10
HB 2440	Requiring the secretary of corrections to receive and give victim notification upon certain events while inmate is in the custody of the secretary of social and rehabilitation services	Hrg. 3/8/10	BPA 3/12/10
Sub for HB 2453	Making the distribution of drugs and paraphernalia to or in the presence of a minor an enhanced severity level crime and replacing "child care facilities" with "presence of a minor		

BILL NUMBER	SUBJECT	DATE OF HEARING/ DISCUSSION	DATE OF FINAL ACTION BY FULL COMMITTEE
HB 2454	Enhanced criminal penalty for felonies committed while wearing or using ballistic resistant material	Hrg. 3/16/10	BPA 3/16/10
HB 2455	Amendments to uniform principal and income act	Hrg. 3/5/10	BP & CC 3/9/10
HB 2456	Probate; filing of affidavits regarding decedent's probate estate	Hrg. 3/5/10	BP 3/9/10
HB 2468	Requiring offenders guilty of attempt, conspiracy or solicitation to commit any crime requiring offender registration for life to register as an offender	Hrg. 3/5/10	BPA 3/9/10
HB 2469	Use of prior convictions in determining criminal history	Hrg. 3/10/10	BPA 3/12/10
HB 2476	Concerning courts and the judicial branch surcharge fund	Hrg. 2/9/10	BPA 2/16/10 Added contents of amended SB 442
HB 2503	Authorizing and requiring the secretary of corrections to supervise parole offices and other release mechanisms and entities	Hrg. 3/10/10	BP & CC 3/12/10
HB 2506	Requiring the parole board to weigh the proportionality of a crime committed prior to July 1, 1993, to the sentence for the same crime under the new guidelines	Hrg. 3/10/10	BPA 3/12/10
HB 2508	Shortening the length of deferral time for certain inmates' parole hearings to five years and requiring review of inmates on a 10 year deferral.	Hrg. 3/10/10	Tabled 3/12/10 Bill referred to Agriculture on 3/15/10
Sub HB 2509	Providing the procedure by which the secretary of corrections refers a potential sexually violent predator to the multidisciplinary team for analysis and a determination of placement	Hrg. 3/10/10	Tabled 3/12/10 Contents deleted Inserted SB 549 BP 3/17/10
Sub for HB 2517	Domestic violence offenses; special sentencing provision	Hrg. 3/15/10	BPA 3/17/10
Sub HB 2528	Amending the court procedure for the forfeiture of an appearance bond	Hrg. 3/16/10	BPA 3/16/10
HB 2557	Removing references to the inheritance tax and limiting the applicability of its provisions	Hrg. 3/11/10	BP & CC 3/12/10
HB 2581	Criminal procedure; correctional supervision fees; funding the use of a statewide, mandatory standardized risk assessment	Hrg. 3/17/10	BPA 3/17/10

BILL NUMBER	SUBJECT	DATE OF HEARING/ DISCUSSION	DATE OF FINAL ACTION BY FULL COMMITTEE
HB 2582	Adding conspiracy and attempt to special sentencing requirement of presumptive	Hrg. 3/2/10	Tabled 3/4/10 bill referred to Utilities 3/18/10
HB 2585	Concerning marriage license fees and poverty	Hrg. 3/11/10	Tabled 3/12/10 Contents deleted SB 211 inserted BP 3/18/10
HB 2604	Allowing the court to sentence a defendant to serve time in a work release program	Hrg. 3/11/10	BP & CC 2/12/10
HB 2605	Clarifying the investigation fees for services rendered by the KBI and other regional forensic and scientific laboratories	Hrg. 3/11/10	BPA 3/12/10
HB 2637	Requiring the court to charge a \$100 fee for collection of defendant's DNA information for storage in the KBI DNA database	Hrg. 3/12/10	Contents added to HB 2605 3/12/10
HB 2656	Amendments to the Kansas code of civil procedure	Hrg. 3/11/10	BPA 3/12/10
HB 2661	Further amendments to the recodification of the criminal controlled substances provisions	Hrg. 3/17/10	BP & CC 3/17/10
HB 2667	Recodification of certain domestic relations matters	Hrg. 3/15-16/10	BPA 3/17/10
HB 2668	Recodification of the criminal code	Hrg. 3/8/10	BPA 3/12/10

CONFIRMATIONS:

John Poertner, *Board of Indigents' Defense Services*
Suzanne Valdez, *Crime Victims Compensation Board*

Recommended for confirmation 1/28/2010
Recommended for confirmation 1/28/2010

REAPPOINTMENTS:

Patricia Biggs, *Kansas Parole Board*
Lawrence P. Daniels,

Recommended for confirmation 3/5/10

State Board of Indigents' Defense Services

Recommended for confirmation 3/5/10