

CHAPTER 12
HOUSE BILL No. 2147

AN ACT concerning psychiatric evaluation reports of defendants and inmates; relating to the disclosure thereof; amending K.S.A. 75-5266 and repealing the existing section.

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

Section 1. K.S.A. 75-5266 is hereby amended to read as follows: 75-5266. Psychiatric evaluation reports of ~~the Topeka correctional facility and the Lansing correctional facility~~ *facilities* shall be privileged and shall not be disclosed directly or indirectly to anyone except as provided herein. The court, the district or county attorney, the attorney for the defendant or inmate, the Kansas parole board and its staff, the wardens and classification committees of the state correctional institutions and those persons authorized by the secretary shall have access to such reports. Such reports may be disclosed to: (1) The defendant or inmate, ~~the~~ *or* members of the ~~defendant's or inmate's family or the~~ *defendant's or inmate's* friends ~~or when authorized by the defendant or inmate or the defendant's or inmate's family; or~~ (3) the superintendent or director of any other state institution when authorized by the warden ~~of the Topeka correctional facility, or secretary of corrections or the warden of the Lansing correctional facility~~. Employees of the correctional institutions under the supervision of the secretary are expressly forbidden from disclosing the contents of such reports to anyone except as provided herein. Nothing in this section shall be construed as preventing the attorney for the defendant or inmate from discussing such reports with the defendant or inmate.

Sec. 2. K.S.A. 75-5266 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the statute book.

Approved March 21, 2005.
