

CHAPTER 9  
HOUSE BILL No. 2034

AN ACT concerning judicial review and civil enforcement of agency actions;  
amending K.S.A. 77-603 and repealing the existing section.

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

Section 1. K.S.A. 77-603 is hereby amended to read as follows: 77-603. (a) This act applies to all agencies and all proceedings for judicial review and civil enforcement of agency actions not specifically exempted by statute from the provisions of this act.

(b) This act creates only procedural rights and imposes only procedural duties. They are in addition to those created and imposed by other statutes.

(c) This act does not apply to agency actions:

(1) Of the Kansas parole board concerning inmates or persons under parole or conditional release supervision;

(2) concerning the management, discipline or release of persons in the custody of the secretary of corrections;

(3) *concerning the management, discipline or release of persons in the custody of the commissioner of juvenile justice;*

(4) under the election laws contained in chapter 25 of the Kansas Statutes Annotated, and amendments thereto, except as provided by K.S.A. 25-4185, and amendments thereto;

~~(4)~~ (5) concerning pardon, commutation of sentence, clemency or extradition;

~~(5)~~ (6) concerning military or naval affairs other than actions relating to armories;

~~(6)~~ (7) governed by the provisions of the open records act and subject to an action for enforcement pursuant to K.S.A. 45-222, and amendments thereto; or

~~(7)~~ (8) governed by the provisions of K.S.A. 75-4317 *et seq.*, and amendments thereto, relating to open public meetings, and subject to an action for civil penalties or enforcement pursuant to K.S.A. 75-4320 or 75-4320a, and amendments thereto.

Sec. 2. K.S.A. 77-603 is hereby repealed.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.

---