

As Amended by House Committee

Session of 2026

HOUSE BILL No. 2552

By Committee on Appropriations

Requested by Scott Schultz on behalf of the Kansas Sentencing Commission

1-27

1 AN ACT concerning crimes, punishment and criminal procedure; relating
2 to reports and records; requiring presentence investigation reports and
3 journal entries to be completed and submitted in the form and manner
4 prescribed by the Kansas sentencing commission; amending K.S.A. 21-
5 6813, 22-3426, 22-3426a and 22-3439 and repealing the existing
6 sections.
7

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

9 Section 1. K.S.A. 21-6813 is hereby amended to read as follows: 21-
10 6813. (a) The court shall order the preparation of the presentence
11 investigation report by the court services officer as soon as possible after
12 conviction of the defendant.

13 (b) Each presentence investigation report prepared for an offender to
14 be sentenced for one or more felonies committed on or after July 1, 1993,
15 shall be limited to the following information:

16 (1) A summary of the factual circumstances of the crime or crimes of
17 conviction.

18 (2) If the defendant desires to do so, a summary of the defendant's
19 version of the crime.

20 (3) When there is an identifiable victim, a victim report. The person
21 preparing the victim report shall submit the report to the victim and
22 request that the information be returned to be submitted as a part of the
23 presentence investigation. To the extent possible, the report shall include a
24 complete listing of restitution for damages suffered by the victim.

25 (4) An appropriate classification of each crime of conviction on the
26 crime severity scale.

27 (5) A listing of prior adult convictions or juvenile adjudications for
28 felony or misdemeanor crimes or violations of county resolutions or city
29 ordinances comparable to any misdemeanor defined by state law. Such
30 listing shall include an assessment of the appropriate classification of the
31 criminal history on the criminal history scale and the source of information
32 regarding each listed prior conviction and any available source of journal
33 entries or other documents through which the listed convictions may be
34 verified. If any such journal entries or other documents are obtained by the
35 court services officer, they shall be attached to the presentence

1 investigation report. Any prior criminal history worksheets of the
2 defendant shall also be attached.

3 (6) A proposed grid block classification for each crime, or crimes of
4 conviction and the presumptive sentence for each crime, or crimes of
5 conviction.

6 (7) If the proposed grid block classification is a grid block that
7 presumes imprisonment, the presumptive prison term range and the
8 presumptive duration of postprison supervision as it relates to the crime
9 severity scale.

10 (8) If the proposed grid block classification does not presume prison,
11 the presumptive prison term range and the presumptive duration of the
12 nonprison sanction as it relates to the crime severity scale and the court
13 services officer's professional assessment as to recommendations for
14 conditions to be mandated as part of the nonprison sanction.

15 (9) For defendants who are being sentenced for a conviction of a
16 felony violation of K.S.A. 65-4160 or 65-4162, prior to their repeal, or
17 K.S.A. 21-5706, and amendments thereto, and meet the requirements of
18 K.S.A. 21-6824, and amendments thereto, the drug abuse assessment as
19 provided in K.S.A. 21-6824, and amendments thereto.

20 (10) For defendants who are being sentenced for a third or subsequent
21 felony conviction of a violation of K.S.A. 65-4160 or 65-4162, prior to
22 their repeal, or K.S.A. 21-5706, and amendments thereto, the drug abuse
23 assessment as provided in K.S.A. 21-6824, and amendments thereto.

24 (c) The presentence investigation report will become part of the court
25 record and shall be accessible to the public, except that the official version,
26 defendant's version and the victim's statement, any psychological reports,
27 risk and needs assessments and drug and alcohol reports and assessments
28 shall be accessible only to: The parties; the sentencing judge; the
29 department of corrections; community correctional services; any entity
30 required to receive the information under the interstate compact for adult
31 offender supervision; and, if requested, the Kansas sentencing
32 commission. If the offender is committed to the custody of the secretary of
33 corrections, the report shall be sent to the secretary and, in accordance
34 with K.S.A. 75-5220, and amendments thereto, to the warden of the state
35 correctional institution to which the defendant is conveyed.

36 (d) The criminal history worksheet will not substitute as a
37 presentence investigation report.

38 (e) The presentence investigation report will not include optional
39 report components, which would be subject to the discretion of the
40 sentencing court in each district except for psychological reports and drug
41 and alcohol reports.

42 (f) Except as provided in K.S.A. 21-6814, and amendments thereto,
43 the court may take judicial notice in a subsequent felony proceeding of an

1 earlier presentence investigation report criminal history worksheet
2 prepared for a prior sentencing of the defendant for a felony committed on
3 or after July 1, 1993.

4 (g) All presentence investigation reports in any case in which the
5 defendant has been convicted of a felony ~~shall be on a form approved~~ *must*
6 *shall be completed and submitted in the form and manner prescribed by*
7 *the Kansas sentencing commission.*

8 Sec. 2. K.S.A. 22-3426 is hereby amended to read as follows: 22-
9 3426. (a) When judgment is rendered or sentence of imprisonment is
10 imposed, upon a plea or verdict of guilty, a record thereof shall be made
11 upon the journal of the court, reflecting, if applicable, conviction or other
12 judgment, the sentence if imposed, and the commitment, which record
13 among other things shall contain a statement of the crime charged, and
14 under what statute; the plea or verdict and the judgment rendered or
15 sentence imposed, and under what statute, and a statement that the
16 defendant was duly represented by counsel naming such counsel, or a
17 statement that the defendant has stated on the record or in writing that the
18 defendant did not want representation of counsel.

19 (b) If defendant is sentenced to the custody of the secretary of
20 corrections the journal entry shall record, ~~in a judgment form, if used,~~ all
21 the information required under K.S.A. 21-6711, and amendments thereto,
22 unless such section is not applicable.

23 (c) It shall be the duty of the court personally to examine *and sign* the
24 journal entry ~~and to sign the same.~~

25 (d) For felony convictions for crimes committed on or after July 1,
26 1993, in addition to the provisions of subsections (a) through (c), the
27 journal entry shall contain the following information:

- 28 (1) Court case number;
- 29 (2) Kansas bureau of investigation number;
- 30 (3) case transaction number;
- 31 (4) court O.R.I. number;
- 32 (5) the type of counsel;
- 33 (6) type of trial, if any;
- 34 (7) pretrial status of the offender;
- 35 (8) the date of the sentencing hearing;
- 36 (9) a listing of offenses for which the defendant is convicted;
- 37 (10) the criminal history classification;
- 38 (11) the sentence imposed for each offense including postrelease or
39 probation supervision durations;
- 40 (12) whether the sentences run concurrently or consecutively;
- 41 (13) amount of credit for time spent incarcerated;
- 42 (14) period ordered in county jail as a condition of probation;
- 43 (15) a listing of offenses in which a departure sentence is imposed;

1 (16) type of departure sentence; and

2 (17) factors cited as a basis for departure sentence.

3 (e) The journal entry ~~shall be recorded on a form approved~~ ~~must shall~~
4 *be completed and submitted in the form and manner prescribed* by the
5 Kansas sentencing commission.

6 Sec. 3. K.S.A. 22-3426a is hereby amended to read as follows: 22-
7 3426a. (a) For crimes committed on or after July 1, 1993, when a
8 convicted person is revoked for a probation violation, a record thereof
9 shall be made upon the journal of the court. Such journal entry shall
10 include:

11 (1) Court case number;

12 (2) Kansas bureau of investigation number;

13 (3) case transaction number;

14 (4) court O.R.I. number;

15 (5) name of the judge who heard the evidence;

16 (6) those present and whether defendant's counsel was appointed or
17 retained;

18 (7) date violator was sentenced to department of corrections;

19 (8) offenses for which defendant was sentenced and time to be served
20 for each crime;

21 (9) total imprisonment term;

22 (10) supervision revoked;

23 (11) date motion to revoke defendant's probation was filed; and

24 (12) whether there are sufficient evidence and grounds for the court
25 to revoke defendant's probation.

26 (b) It shall be the duty of the court to personally examine *and sign* the
27 journal entry ~~and sign the same~~.

28 (c) The journal entry ~~shall be recorded on a form approved~~ ~~must shall~~
29 *be completed and submitted in the form and manner prescribed* by the
30 Kansas sentencing commission.

31 Sec. 4. K.S.A. 22-3439 is hereby amended to read as follows: 22-
32 3439. (a) For all felony convictions for offenses committed on or after July
33 1, 1993, the court ~~shall~~ ~~must shall~~ forward a signed copy of the journal
34 entry, attached together with the presentence investigation report as
35 provided by K.S.A. 21-6813, and amendments thereto, to the Kansas
36 sentencing commission within 30 days after sentencing.

37 (b) For probation revocations which result in the defendant's
38 imprisonment in the custody of the department of corrections, the court
39 ~~shall~~ ~~must shall~~ forward a signed copy of the journal entry of revocation to
40 the Kansas sentencing commission within 30 days of final disposition.

41 (c) The court ~~shall insure~~ ~~must shall~~ ensure that information
42 concerning dispositions for all other felony probation revocations based
43 upon crimes committed on or after July 1, 1993, and for all class A and B

1 misdemeanor crimes and assault as defined in K.S.A. 21-3408, prior to its
2 repeal, or ~~subsection (a) of~~ K.S.A. 21-5412(a), and amendments thereto,
3 committed on or after July 1, 1993, is forwarded to the Kansas bureau of
4 investigation central repository. Such information~~shall~~ ~~must~~ **shall** be
5 transmitted on a form or in a format approved by the attorney general
6 within 30 days of that final disposition.

7 *(d) All documents required to be forwarded to the Kansas sentencing*
8 *commission pursuant to this section*~~must~~ **shall** *be completed and*
9 *submitted in the form and manner prescribed by the commission. The*
10 *court*~~must~~ **shall** *not receive or recognize as valid such documents that are*
11 *completed and submitted in any other form and manner.*

12 Sec. 5. K.S.A. 21-6813, 22-3426, 22-3426a and 22-3439 are hereby
13 repealed.

14 Sec. 6. This act shall take effect and be in force from and after its
15 publication in the Kansas register.