

SESSION OF 2025

**SUPPLEMENTAL NOTE ON SENATE BILL NO. 138**

As Recommended by Senate Committee on  
Judiciary

**Brief\***

SB 138 would amend law concerning the issuance of search warrants to specify only law enforcement officers may provide sworn statements supporting a finding of probable cause to issue a search warrant. Under current law, any person may provide such statements.

**Background**

The bill was introduced by the Senate Committee on Judiciary at the request of a representative of the Kansas County and District Attorneys Association (KCDAA).

***Senate Committee on Judiciary***

In the Senate Committee hearing, two representatives of KCDAA provided **proponent** testimony. The proponents stated that because search warrants have been requested by persons outside of law enforcement in at least two counties in the past year, making this clarifying change is necessary to protect the reasonable expectation of privacy of Kansas citizens who may be subject to search warrants issued only to harass or embarrass them.

No other testimony was provided.

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\*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <https://klrd.gov/>

## **Fiscal Information**

According to the fiscal note prepared by the Division of the Budget on the bill, the Judicial Branch indicates enactment of the bill would have no fiscal effect on its operations.

The Kansas Association of Counties and the League of Kansas Municipalities indicate that enactment of the bill would have no fiscal effect on local governments.

Crimes; criminal procedure; search warrants; law enforcement