

SESSION OF 2025

SUPPLEMENTAL NOTE ON SENATE BILL NO. 204

As Amended by House Committee on Judiciary

Brief*

SB 204, as amended, would require the sealing of certain records relating to case information, warrants, and subpoenas in certain criminal and juvenile cases.

The bill would require the sealing of a criminal case or a case pursuant to the Revised Kansas Juvenile Justice Code in which an arrest warrant is being sought until such warrant is executed or denied.

The bill would require that subpoenas issued in the above cases remain sealed unless the court makes a finding that unsealing such subpoena is in the interest of justice.

The bill would specify that “seal” means that no information related to a case, warrant, or subpoena, including the existence of such case, warrant, subpoena, or return of service could be made public, but would allow for disclosure of warrant information, subpoenas, returns of service, or other case information to law enforcement for the purposes of executing a warrant or serving a subpoena.

In addition, information related to arrest warrants issued for a defendant’s failure to appear as directed by a court would not be sealed under the provisions of the bill.

The bill would apply retroactively to any case, warrant information, or subpoenas currently pending.

*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/>

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.

Senate Committee on Judiciary

In the Senate Committee hearing, **proponent** testimony was provided by district attorneys from the 10th and 18th Judicial Districts and a representative from the Kansas Sheriffs Association. The proponents generally stated the bill is necessary to address issues created when the Judicial Branch transitioned to a new records management system to prevent certain private information from being publicly available when it should not be.

Written-only proponent testimony was provided by representatives of Metropolitan Organization Countering Sexual Assault, Wichita Family Crisis Center, and Safehome.

Written-only neutral testimony was provided by a representative of Kansas Coalition Against Sexual and Domestic Violence (Coalition).

Written-only opponent testimony was provided by a representative of Kansas Bail Agents Association (KBAA).

The Senate Committee amended the bill to allow disclosure of warrant information, subpoenas, or other case information to law enforcement when such information is necessary for execution of such warrant or serving such subpoena.

Senate Committee of the Whole

The Senate Committee of the Whole adopted an amendment to specify arrest warrants issued for a defendant's failure to appear in court as directed could be disclosed pursuant to the bill.

House Committee on Judiciary

In the House Committee hearing, **proponent** testimony was provided by district attorneys from the 10th and 18th Judicial Districts and a representative of the Kansas Association of Chiefs of Police, Kansas Peace Officers Association, and Kansas Sheriffs Association. The testimony was substantially similar to the testimony provided in the Senate Committee. The district attorney from the 10th Judicial District requested an amendment to include a return of service document along with the subpoena.

Written-only neutral testimony was provided by representatives of the KBAA and the Coalition.

The House Committee amended the bill to include the return of service document as a covered record and to clarify the definition of “seal” with respect to subpoenas.

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on the bill, as introduced, the Office of Judicial Administration indicates enactment of the bill would have a significant effect on expenditures by increasing the workload of district court clerks. Reprogramming of the centralized case management system could reduce this workload, but it would also increase expenditures. However, the fiscal effect cannot be estimated.

Any fiscal effect associated with enactment of the bill is not reflected in *The FY 2026 Governor’s Budget Report*.

Judiciary; sealing court records; juvenile; criminal; warrants; subpoenas