

SESSION OF 2012

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2655

As Amended by Senate Committee on Judiciary

Brief*

HB 2655 would amend the crime of interference with the judicial process to include knowingly or intentionally, in any criminal proceeding or investigation:

- Inducing a witness or informant to withhold or unreasonably delay in producing any testimony, information, document, or thing;
- Withholding or unreasonably delaying in producing any testimony, information, document, or thing after a court orders its production;
- Altering, damaging, removing, or destroying any record, document, or thing, with the intent to prevent it from being produced or used as evidence; or
- Making, presenting, or using a false record, document, or thing with the intent that the record, document, or thing, material to a criminal proceeding or investigation, appear in evidence to mislead a justice, judge, magistrate, master, or law enforcement officer.

Such an act would be a severity level 8, nonperson felony, if the matter or case involves a felony, or a class A, nonperson misdemeanor, if the matter or case involves a misdemeanor.

*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 <http://www.kslegislature.org>

Background

In the House Committee on Judiciary, Representative John Rubin, Steve Howe, Johnson County District Attorney, and two concerned citizens appeared in support of the bill. No opponents offered testimony. The Committee amended the bill by replacing the proposed language with similar language based on an Indiana statute.

In the Senate Committee on Judiciary, Representative John Rubin again appeared in support of the bill. No opponents offered testimony. The Committee amended the bill by removing references to "official" criminal proceedings.

The fiscal note indicates passage of HB 2655, as introduced, has the potential for increasing caseloads, however, the impact could be accommodated within existing resources.