



To: House Judiciary Committee

From: Nathan Eberline – Associate Legislative Director & Legal Counsel

Date: March 06, 2013

Re: Senate Bill 18 (Civil Procedure and Restraining Orders)

I am writing on behalf of the Kansas Association of Counties to support the amended version of Senate Bill 18. The current version of the bill modifies the law on restraining orders and temporary injunctions. The language requires security based on the court's determination of relevant factors, but the courts can waive the security requirement for the State of Kansas and its political subdivisions. The original bill did not include counties and cities as potential recipients of the security waiver, but the Senate Judiciary Committee expanded the waiver to include municipalities. With the new language, the Kansas Association of Counties supports SB 18.

When the Senate originally filed SB 18, KAC circulated the bill to county counselors across the state. Riley County Counselor, Craig Cox, pointed out that Kansas counties and cities act in conjunction with the State and are similarly situated when seeking temporary restraining orders. Mr. Cox has also submitted written testimony supporting the current language of the bill. KAC asks that the House Judiciary Committee proceeds with the amended language to implement the policy changes provided in SB 18. Thank you for your consideration.