

REPORTS OF STANDING COMMITTEES

MADAM PRESIDENT:

The Committee on **Judiciary** recommends **SB 310** be amended on page 3, following line 30, by inserting:

"Sec. 2. K.S.A. 2013 Supp. 22-3011 is hereby amended to read as follows: 22-3011. (a) An indictment may be found only on the concurrence of 12 or more grand jurors. When an indictment is found, the presiding juror shall endorse thereon "a true bill" and shall sign the presiding juror's name as presiding juror.

(b) When 12 or more grand jurors do not concur in finding an indictment, the presiding juror shall certify that the indictment is "not a true bill."

(c) Indictments found by the grand jury shall be presented by its presiding juror, in the jury's presence, to the court and shall be filed and remain as records of the court.

(d) A grand jury impaneled pursuant to subsection (c) of K.S.A. 22-3001, and amendments thereto, may request that the attorney general prosecute the case arising from an indictment found by such grand jury if, in the opinion of the grand jury, the prosecuting attorney would not diligently prosecute such case. The attorney general shall prosecute such case unless the attorney general finds that there is not probable cause to believe that a crime has been committed or that the defendant has committed such crime.";

Also on page 3, in line 41, after "substance" by inserting ", *exception*"; also in line 41, before "An" by inserting:

"(1)";

Also on page 3, in line 42, by striking "that" and inserting "as provided further.

(2) ";

On page 4, in line 1, by striking "amendment of an"; in line 2, by striking "indictment" and inserting "substance of an indictment to be amended"; in line 4, after "attorney." by inserting "The provisions of this paragraph shall apply only to an indictment found by a grand jury impaneled pursuant to subsection (a) or (b) of K.S.A. 22-3001, and amendments thereto, and shall not apply to an indictment found by a grand jury impaneled pursuant to subsection (c) of K.S.A. 22-3001, and amendments thereto.";

Also on page 4, in line 7, after "22-3001" by inserting ", 22-3011";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, after "22-3001" by inserting ", 22-3011"; and the bill be passed as amended.

Chairperson