Municipal Court Reporting of Criminal History Record Information; HB 2041

HB 2041 amends provisions concerning a municipal judge's duty to ensure certain conviction information for city ordinance violations is forwarded to the Kansas Bureau of Investigation (KBI) central repository. The bill expands the duty to include all violations comparable to convictions for statutory criminal offenses, not only convictions for class A and B misdemeanors. The bill also requires reporting of filing and disposition of cases alleging operation of a vessel while under the influence of alcohol or drugs (boating under the influence) to the central repository. Reporting of filing and disposition of cases involving driving under the influence (DUI) and commercial DUI already was required and, along with reports concerning boating under the influence, the bill extends from July 1, 2013, to July 1, 2014, the date by which those reports must be made electronically.

Further, the bill requires the KBI Director to adopt rules and regulations by July 1, 2013, requiring district courts to report the filing and disposition of all cases alleging DUI or refusal to submit to a test to determine the presence of alcohol or drugs (criminal refusal). The former requirement was adoption of rules and regulations by July 1, 2012, concerning just the filing of cases alleging DUI. Similarly, the bill requires the Director to adopt rules and regulations by July 1, 2014, requiring district courts to electronically report all case filings and dispositions for DUI or criminal refusal. The former requirement was adoption of rules and regulations by July 1, 2013, concerning just the filing of cases alleging DUI.

Finally, the bill amends the definition of "criminal history record information" to exclude information regarding the release of defendants from confinement by the Department of Corrections or a jail, which is intended to clarify that the Department or a jail may provide notice of release.

The bill will be in effect upon publication in the *Kansas Register.*