

SESSION OF 2014

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2662

As Amended by House Committee on
Corrections and Juvenile Justice

Brief*

HB 2662, as amended, would reduce the period before which a person with a conviction of or diversion for driving under the influence (DUI) may petition for expungement of the conviction or diversion from ten years to five years.

The bill also would raise the expungement period for a conviction of or diversion for refusal to submit to a test to determine the presence of alcohol or drugs (test refusal) from three years to five years.

Background

The bill was introduced by the House Committee on Federal and State Affairs. As introduced, the bill would have reduced the expungement period for DUI to three years.

In the House Committee on Corrections and Juvenile Justice, Representative Thimesch spoke in support of the bill. Several citizens submitted written testimony supporting the bill. A representative of the Division of Vehicles within the Department of Revenue provided neutral testimony suggesting the bill be amended to provide a five-year expungement period for DUI to match the expungement period for other habitual violator offenses. A representative of the Kansas Association of Chiefs of Police, Kansas Peace Officers Association, and Kansas Sheriffs Association testified in opposition to the bill.

*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>

The House Committee adopted the amendment proposed by the Division of Vehicles and added the test refusal provision.

The fiscal note prepared by the Division of the Budget on the bill, as introduced, indicates the bill would have no fiscal effect.