

SESSION OF 2014

SUPPLEMENTAL NOTE ON SENATE BILL NO. 416

As Recommended by Senate Committee on
Judiciary

Brief*

SB 416 would amend a defendant's statutory right to counsel so that the defendant would be entitled to the assistance of counsel at every hearing before a judge of the district court. Under current law, a defendant has the statutory entitlement to counsel "at every stage of the proceedings" against the defendant.

Background

The bill was introduced by the Senate Committee on Ways and Means. In the Senate Committee on Judiciary, the Leavenworth County Attorney testified in support of the bill, stating the bill would respond to a recent Kansas Supreme Court decision. There was no neutral or opponent testimony.

According to the fiscal note prepared by the Division of the Budget on the bill, the Board of Indigents' Defense Services indicates the bill would have a neutral fiscal effect, reducing the Board's work in felony cases but increasing the workload related to constitutional challenges.

The Office of Judicial Administration indicates the bill would have no fiscal effect on court costs, although it could result in additional issues to be decided by district or appellate courts.

*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>