

SESSION OF 2016

**CONFERENCE COMMITTEE REPORT BRIEF
SENATE BILL NO. 325**

As Agreed to April 29, 2016

Brief*

SB 325 would amend provisions requiring parolees and persons on postrelease supervision to be (and agree to be) subject to search and seizure by certain officers or under certain circumstances by replacing “search and seizure” with “searches of the person and the person’s effects, vehicle, residence and property.” The same change would be made in provisions requiring the Prisoner Review Board to make certain related orders.

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

Conference Committee Action

The Conference Committee agreed to remove the contents of SB 325, as it entered conference, as result of the Conference Committee agreement on SB 418 which includes the contents of SB 325. The Conference Committee on SB 325 agreed further to insert the contents of SB 480, as passed by the Senate, regarding search of parolees and persons on postrelease supervision.

*Conference committee report briefs are prepared by the Legislative Research Department and do not express legislative intent. No summary is prepared when the report is an agreement to disagree. Conference committee report briefs may be accessed on the Internet at <http://www.kslegislature.org/kldr>

Background

Background of SB 325

SB 325, as amended by the House Committee on Corrections and Juvenile Justice, would allow county or district attorneys with pending child in need of care matters to access child in need of care files in other jurisdictions regarding the same parties or interested parties.

The bill was introduced in the Senate Committee on Corrections and Juvenile Justice. The Senate Committee recommended the bill be placed on the Consent Calendar.

The House Committee on Corrections and Juvenile Justice amended the bill to allow access to files for any interested parties also involved in the pending child in need of care matters. The House Committee of the Whole passed the bill as amended by the House Corrections Committee.

[*Note:* the contents of SB 325, as it entered conference, were placed in the Conference Committee report on SB 418. The Conference Committee on SB 325 then replaced its contents with the contents of SB 480.]

Background of SB 480

SB 480 was introduced by the Senate Committee on Federal and State Affairs. In the hearing before the Senate Committee on Corrections and Juvenile Justice, a representative of the Office of the Attorney General testified in support of the bill, stating the bill would clarify the law in light of the Kansas Court of Appeals' recent decision in *State v. Toliver* and would mirror the statutory guidelines for probationers. The interim Secretary of Corrections submitted written testimony supporting the bill. There was no neutral or opponent testimony.

According to the fiscal note prepared by the Division of the Budget, the Office of Judicial Administration indicates any fiscal effect of SB 480 on the Judicial Branch would be negligible. Any fiscal effect is not reflected in *The FY 2017 Governor's Budget Report*.

corrections; postrelease supervision; parolees; searches

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