

STATE OF KANSAS

SENATE CHAMBER

MADAM PRESIDENT:

I move to amend **HB 2336**, as amended by Senate Committee, on page 1, in line 6, before "K.S.A" by inserting "On and after July 1, 2015,";

On page 7, following line 16, by inserting:

"Sec. 2. K.S.A. 2014 Supp. 38-2366 is hereby amended to read as follows: 38-2366. (a) When a juvenile offender who is:

(1) Under 16 years of age at the time of the sentencing, has been prosecuted and convicted as an adult or under the extended jurisdiction juvenile prosecution, and has been placed in the custody of the secretary of the department of corrections, the secretary shall notify the sheriff having the offender in custody to convey such juvenile offender at a time designated by the ~~juvenile justice authority~~ department of corrections to a juvenile correctional facility. The ~~commissioner~~ secretary shall notify the court, in writing, of the initial placement of the offender in the specific juvenile correctional facility as soon as the placement has been accomplished.

(2) At least 16 but less than 18 years of age at the time of sentencing, has been prosecuted and convicted as an adult or under the extended jurisdiction juvenile prosecution, and has been placed in the custody of the secretary, the secretary shall notify the sheriff having the offender in custody to convey such juvenile offender at a time designated by the department of corrections to a juvenile correctional facility or adult correctional institution. The secretary shall notify the court, in writing, of the initial placement of the offender in the specific juvenile correctional facility or adult correctional institution as soon as the placement has been accomplished.

The ~~commissioner~~ secretary shall not permit the juvenile offender to remain detained in any jail

for more than 72 hours, excluding Saturdays, Sundays, legal holidays, and days on which the office of the clerk of the court is not accessible, after the ~~commissioner~~ secretary has received the written order of the court placing the offender in the custody of the ~~commissioner~~ secretary. If such placement cannot be accomplished, the offender may remain in jail for an additional period of time, not exceeding 10 days, which is specified by the ~~commissioner~~ secretary and approved by the court.

(b) Except as provided in subsection (a), a juvenile who has been prosecuted and convicted as an adult shall not be eligible for admission to a juvenile correctional facility. All other conditions of the offender's sentence imposed under this code, including restitution orders, may remain intact. ~~The provisions of this subsection shall not apply to an offender who: (1) Is under 16 years of age at the time of the sentencing; (2) has been prosecuted as an adult or under extended juvenile jurisdiction; and (3) has been placed in the custody of the secretary of corrections, requiring admission to a juvenile correctional facility pursuant to subsection (a).";~~

Also on page 7, in line 17, before "K.S.A" by inserting "On and after July 1, 2015,";

On page 11, following line 41, by inserting:

"Sec. 4. K.S.A. 2014 Supp. 38-2366 is hereby repealed.";

Also on page 11, in line 42, before "K.S.A" by inserting "On and after July 1, 2015,";

On page 12, in line 1, by striking "statute book" and inserting "Kansas register";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, after "tool;" by inserting "placement in the custody of the secretary of corrections;"; also in line 2, after "38-2361" by inserting ", 38-2366"

Senator \_\_\_\_\_