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MEMORANDUM

To: Senate Committee on Judiciary

From: Jason Thompson, Senior Assistant Revisor of Statutes

Date: February 12, 2018

Subject: Bill Brief for SB 297

SB 297 revises the notice provided to a driver before conducting tests to determine the presence of alcohol or drugs. The bill amends K.S.A. 8-1001, commonly known as the implied consent statute. Under current law in subsection (a), any person operating or attempting to operate a vehicle in Kansas is deemed to have given consent to certain tests to determine the presence of alcohol or drugs. Subsection (k) requires that a person be given oral and written notice about Kansas law and certain rights before a test is administered. On pages 3 and 4, the bill amends subsection (k), specifically paragraphs (1), (2), and (4), in an effort to clarify the notice and align it with recent case law.