

SESSION OF 2017

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2320

As Amended by House Committee on Judiciary

Brief*

HB 2320 would amend law regarding the disclosure to the public of affidavits or sworn testimony underlying an arrest warrant to clarify the timing of notification to the defendant of a request for disclosure. Specifically, the bill would specify that such notice shall be provided upon entry of appearance by an attorney on behalf of the defendant or upon indication by the defendant to the court that the defendant will represent the defendant's self. Existing law requires notification of the defendant upon the filing of the request for disclosure.

Background

The bill was introduced by the House Committee on Judiciary at the request of the Kansas District Judges Association. In the House Committee hearing, a district court judge from the Eleventh Judicial District testified in support of the bill, stating that the timing under existing law sometimes leads to the expiration of a defendant's time to respond to the request for disclosure before the court has had an opportunity to notify the defendant of the request. No opponent or neutral testimony was provided.

The House Committee adopted an amendment requested by the conferee to clarify the change in the law.

According to the fiscal note prepared by the Division of the Budget, the Office of Judicial Administration indicates any fiscal effect would be negligible.

*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>