

SESSION OF 2018

SUPPLEMENTAL NOTE ON SENATE BILL NO. 288

As Amended by House Committee on Judiciary

Brief*

SB 288 would repeal statutes making it a misdemeanor, subject to a fine of \$100, imprisonment in the county jail for up to 30 days, or both, if a person knowingly:

- Causes or procures any process issued from a justice's court in a civil suit to be served on Saturday upon a person whose religious faith recognizes Saturdays as the Sabbath or who shall serve any such process made returnable on that day; or
- Procures any such suit pending in court against such person to be adjourned for trial on Saturday.

Background

The bill was introduced by the Senate Committee on Judiciary at the request of the Johnson County Sheriff's Office. As introduced, the bill would have repealed the statute prohibiting certain service of process on Saturday.

In the Senate and House Committees on Judiciary hearing, a representative of that office appeared in support of the bill, noting the law has limited the ability of law enforcement to serve civil process on Saturdays. A representative of the Kansas Association of Chiefs of Police, Kansas Sheriffs' Association, and Kansas Peace Officers

*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>

Association provided written-only testimony in support of the bill. No other testimony was provided.

The House Committee adopted an amendment to repeal a statute that makes it a misdemeanor for a person to knowingly procure an adjournment for trial on Saturday when the defendant is a person who recognizes the Sabbath on Saturday.

According to the fiscal note prepared by the Division of the Budget on the bill as introduced, enactment of the bill would have no fiscal effect upon the Judicial Branch.