

SESSION OF 2018

SUPPLEMENTAL NOTE ON SENATE BILL NO. 310

As Amended by House Committee on Judiciary

Brief*

SB 310 would amend law governing the crime of escape from custody. Specifically, the bill would amend the definition of “escape” to include failure to return to custody following temporary leave lawfully granted by a custodial official authorized to grant such leave.

Background

The bill was introduced by the Senate Committee on Judiciary at the request of the Kansas County and District Attorneys Association (KCDAA). In the Senate and House Committees on Judiciary hearings, a representative of the KCDAA appeared in support of the bill and explained the bill would accommodate the multiple instances in which individuals held in custody are released to attend work programs or medical, dental, or counseling appointments or to accommodate other special needs or circumstances.

The House Committee amended the bill to non-substantively modify the structure of the definition of escape.

According to the fiscal note prepared by the Division of the Budget on the bill, as introduced, the Office of Judicial Administration indicates enactment of the bill could increase the number of individuals who are charged with escape from custody because of the expanded definition; however, any fiscal effect upon the Judicial Branch 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>

According to the prison bed impact assessment provided by the Kansas Sentencing Commission, enactment of the bill would have no impact on prison admissions or bed space and no impact on the workload of the Commission.