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**Testimony to the House Judiciary Committee  
In Support of HB2104  
February 5, 2019**

Chairman Patton and Committee members:

Our associations support these amendments to the DUI statutes. This bill was the result of work by the DUI Advisory Committee of the Judicial Council, as requested by the House Judiciary Committee.

HB2104 has four components:

1. Corrects inaccuracies in the current DUI advisories regarding potential suspension times.
2. Cleans up KSA 8-1012 relating to preliminary DUI testing by removing the provisions found unconstitutional by the Kansas Court of Appeals.
3. Changes the term "saliva" to "oral fluids" in both KSA 8-1012 and 75-712h. "Oral fluids" is more accurate in describing what is tested.
4. Repeals KSA 8-1025, the crime of refusing a test, which has been ruled unconstitutional.

From a law enforcement perspective, cleaning up these statutes is important to assure accurate guidance is provided not only to persons stopped by the police, but also to the officers making those stops.

We encourage you to recommend this bill favorably for passage.

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