

REPORTS OF STANDING COMMITTEES

MR. SPEAKER:

The Committee on **Corrections and Juvenile Justice** recommends **HB 2429** be amended on page 1, following line 5, by inserting:

"Section 1. K.S.A. 2019 Supp. 21-6901 is hereby amended to read as follows: 21-6901.

(a) There is hereby established the Kansas closed case task force. The task force shall be composed of 15 voting members, as follows:

- (1) The chairperson of the standing senate committee on judiciary;
- (2) the ranking minority member of the standing senate committee on judiciary;
- (3) the chairperson of the standing house committee on judiciary;
- (4) the ranking minority member of the standing house committee on judiciary;
- (5) the governor or the governor's designee;
- (6) the attorney general or the attorney general's designee;
- (7) the director of the Kansas bureau of investigation or the director's designee;
- (8) the state combined DNA index system (CODIS) administrator as designated by the director of the Kansas bureau of investigation forensic science laboratory;
- (9) a sheriff as designated by the Kansas sheriff's association;
- (10) a chief of police as designated by the Kansas association of chiefs of police;
- (11) a prosecutor as designated by the Kansas county and district attorneys association;
- (12) the executive director of the state board of indigents' defense services or the executive director's designee;
- (13) the president of the Kansas bar association or the president's designee;

(14) the director of victim services of the department of corrections or the director's designee;
and

(15) one member designated by the governor who represents an organization that litigates claims of innocence.

(b) (1) Members shall be appointed to the task force on or before September 1, 2019. The initial meeting of the task force shall be convened on or before October 1, 2019.

(2) The chairperson of the standing senate committee on judiciary and the chairperson of the standing house committee on judiciary shall serve as co-chairs of the task force.

(3) The task force shall meet in an open meeting at any time and at any place within the state of Kansas upon the call of either co-chairperson of the task force. A majority of the voting members of the task force constitutes a quorum. Any action by the task force shall be by motion adopted by a majority of the voting members present when there is a quorum.

(c) The task force, in consultation with practitioners and experts, shall develop a plan to ensure uniform statewide policies and procedures that address, at a minimum:

(1) Timely receipt of the data relating to hits to the combined DNA index system (CODIS) from the forensic laboratory;

(2) directly connecting the data relating to hits to the combined DNA index system (CODIS) to the relevant case file;

(3) proper policies and procedures to ensure all hits are accounted for and followed up;

(4) procedures to address how the key parties can conduct a reasonable and timely investigation into the significance of the hit; and

(5) sharing the hits in data from both solved and unsolved cases with other key parties, including the relevant prosecutors' offices, the original defense attorney and the last known attorney of record, crime victims and surviving relatives, and a local organization that litigates claims of

innocence.

(d) The task force shall complete a plan for implementation of a protocol relating to hits to closed cases by October 1, 2020. The plan shall include a mechanism to ensure uniform compliance at the local law enforcement agency level.

(e) On or before December 1, 2020, the task force shall submit a report containing a plan for uniform implementation of the protocol throughout the state, including articulated benchmarks to facilitate and measure adoption. This report shall be posted on a public website maintained by the Kansas bureau of investigation and presented to the governor, the speaker of the house of representatives and the president of the senate.

(f) Legislative members of the task force attending meetings authorized by the task force shall be paid amounts provided in K.S.A. 75-3223(e), and amendments thereto. Non-legislative members of the task force may be reimbursed by their appointing authority.

(g) Staff of the office of revisor of statutes, the legislative research department and the division of legislative administrative services shall provide assistance to the Kansas closed case task force as may be requested by the co-chairs of the task force.

(h) The provisions of this section shall expire on December 30, 2020.";

On page 2, in line 13, by striking all after "(6)"; in line 14, by striking all before "appointed" and inserting "one criminal defense attorney or public defender"; in line 16, after "(7)" by inserting "one public defender appointed by the executive director of the board of indigents' defense services;

(8)";

On page 3, in line 7, after "(f)" by inserting "(1)";

Also on page 3, following line 10, by inserting:

"(2) Members of the commission who are not legislators or public employees shall receive mileage, tolls and parking as provided in K.S.A. 75-3223, and amendments thereto, for attendance at

any meeting of the commission or any subcommittee meeting authorized by the commission.";

Also on page 3, following line 34, by inserting:

"(l) For the purposes of this section, "public employee" means any employee of the state of Kansas, any employee of a city incorporated under the laws of the state of Kansas or any employee of a county, township, school district or other political subdivision of the state of Kansas.";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly;

Also on page 3, in line 35, after "Supp." by inserting "21-6901 and"; also in line 35, by striking "is" and inserting "are";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, after "concerning" by inserting "task forces and commissions; relating to the Kansas closed case task force; staff assistance;"; in line 2, by striking all before "membership"; also in line 2, after "Supp." by inserting "21-6901 and"; in line 3, by striking "section" and inserting "sections"; and the bill be passed as amended.

_____Chairperson