

HOUSE BILL No. 2471

By Committee on Corrections and Juvenile Justice

1-23

1 AN ACT concerning the Kansas criminal justice reform commission;
2 reimbursement for mileage for members who are not legislators or
3 public employees; amending K.S.A. 2019 Supp. 21-6902 and repealing
4 the existing section.

5
6 *Be it enacted by the Legislature of the State of Kansas:*

7 Section 1. K.S.A. 2019 Supp. 21-6902 is hereby amended to read as
8 follows: 21-6902. (a) There is hereby created the Kansas criminal justice
9 reform commission.

10 (b) The commission shall:

11 (1) Analyze the sentencing guidelines grids for drug and nondrug
12 crimes and make recommendations for legislation that would ensure
13 sentences are appropriate;

14 (2) review the sentences imposed for criminal conduct to determine
15 whether the sentences are proportionate to other sentences imposed for
16 criminal offenses;

17 (3) analyze diversion programs utilized throughout the state and make
18 recommendations with respect to expanding diversion options and
19 implementation of a state-wide diversion standards;

20 (4) review the supervision levels and programming available for
21 offenders who serve sentences for felony offenses on community
22 supervision;

23 (5) study specialty courts and make recommendations for the use of
24 specialty courts throughout the state;

25 (6) survey the availability of evidence-based programming for
26 offenders provided both in correctional facilities and in the community,
27 and make recommendations for changes in available programming;

28 (7) study the policies of the department of corrections for placement
29 of offenders within the correctional facility system and make
30 recommendations with respect to specialty facilities, including, but not
31 limited to, geriatric, healthcare and substance abuse facilities;

32 (8) evaluate existing information management data systems and make
33 recommendations for improvements to data systems that will enhance the
34 ability of criminal justice agencies to evaluate and monitor the efficacy of
35 the criminal justice system at all points in the criminal justice process; and

36 (9) study other matters, that, as the commission determines, are

1 appropriate and necessary to complete a thorough review of the criminal
2 justice system.

3 (c) The commission shall be made of the following members:

4 (1) One member of the Kansas senate appointed by the president of
5 the senate;

6 (2) one member of the Kansas senate appointed by the minority
7 leader of the senate;

8 (3) one member of the Kansas house of representatives appointed by
9 the speaker of the Kansas house of representatives;

10 (4) one member of the Kansas house of representatives appointed by
11 the minority leader of the Kansas house of representatives;

12 (5) one member of the judicial branch court services appointed by the
13 chief justice of the supreme court;

14 (6) one criminal defense attorney or public defender appointed by the
15 governor;

16 (7) one county or district attorney from an urban area and one county
17 attorney from a rural area appointed by the Kansas county and district
18 attorneys association;

19 (8) one sheriff and one chief of police appointed by the attorney
20 general;

21 (9) one professor of law from the university of Kansas school of law
22 and one professor of law from Washburn university school of law,
23 appointed by the deans of such schools;

24 (10) one drug and alcohol addiction treatment provider who provides
25 services pursuant to the certified drug abuse treatment program appointed
26 by the Kansas sentencing commission;

27 (11) one district judge appointed by the Kansas district judges
28 association;

29 (12) one district magistrate judge appointed by the Kansas district
30 magistrate judges association;

31 (13) one member representative of the faith-based community
32 appointed by the governor;

33 (14) one member of a criminal justice reform advocacy organization
34 appointed by the legislative coordinating council;

35 (15) one mental health professional appointed by the Kansas
36 community mental health association;

37 (16) one member representative of community corrections appointed
38 by the secretary of corrections; and

39 (17) the attorney general, the secretary of corrections and the
40 executive director of the Kansas sentencing commission, or such persons'
41 designees, shall serve as ex officio, nonvoting members of the
42 commission.

43 (d) Members of the commission shall be appointed before August 1,

1 2019. The appointing authorities shall provide notice of such appointments
2 to the office of revisor of statutes and the legislative research department.

3 (e) The members of the commission shall elect officers from among
4 its members necessary to discharge its duties. The commission shall
5 receive testimony from interested parties at public hearings to be
6 conducted in the various geographic areas of the state.

7 (f) (1) If approved by the legislative coordinating council, legislative
8 members of the commission attending meetings authorized by the
9 commission shall be paid amounts for expenses, mileage and subsistence
10 as provided in K.S.A. 75-3223(e), and amendments thereto.

11 (2) *Members of the commission who are not legislators or public*
12 *employees shall receive mileage, tolls and parking as provided in K.S.A.*
13 *75-3223, and amendments thereto, for attendance at any meeting of the*
14 *commission or any subcommittee meeting authorized by the commission.*

15 (g) The commission shall have the authority to organize and appoint
16 such task forces or subcommittees as may be deemed necessary to
17 discharge such commission's duties, including adding ex officio, nonvoting
18 members to such task forces or subcommittees.

19 (h) The commission shall work with the Kansas judicial council, the
20 department of corrections, the office of judicial administration and the
21 Kansas sentencing commission and review studies and findings of the
22 Kansas sentencing commission concerning proportionality of sentencing.

23 (i) The commission shall prepare and submit its interim report to the
24 legislature on or before December 1, 2019. A final report and
25 recommendations shall be submitted to the legislature on or before
26 December 1, 2020.

27 (j) The staff of the office of revisor of statutes and the legislative
28 research department shall provide such assistance as may be requested by
29 the commission as authorized by the legislative coordinating council.

30 (k) The governor shall appoint a facilitator to assist the commission
31 in developing a project plan and who shall assist the commission in
32 carrying out the duties of the commission in an orderly manner. The
33 facilitator shall work in collaboration with the commission chairperson and
34 staff of the office of revisor of statutes and the legislative research
35 department. The facilitator shall not be a member of the commission. The
36 facilitator, in coordination with the office of revisor of statutes and the
37 legislative research department, shall call the first meeting of the
38 commission, which shall take place during August 2019.

39 (l) *For the purposes of this section, "public employee" means an*
40 *employee of the state of Kansas, any employee of a city incorporated*
41 *under the laws of the state of Kansas or any employee of a county,*
42 *township, school district or other political subdivision of the state of*
43 *Kansas.*

1 Sec. 2. K.S.A. 2019 Supp. 21-6902 is hereby repealed.

2 Sec. 3. This act shall take effect and be in force from and after its
3 publication in the statute book.