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MEMORANDUM

To: House Committee on Judiciary

From: Office of Revisor of Statutes

Date: February 2, 2021

Subject: Bill Brief on HB 2095

HB 2095 allows a court to prohibit possession of a firearm in temporary custody orders pursuant to the care and treatment act for mentally ill persons.

Section 1 amends K.S.A. 59-2959 to provide that a temporary custody order issued pursuant to this section may prohibit a person from possessing a firearm and require the person petition the court to reinstate the right of the person to possess a firearm. If such an order is issued, the court shall (1) direct the clerk to send a copy to the Kansas bureau of investigation within five days and the KBI shall immediately enter the order into the national criminal information center and other appropriate databases and (2) notify the person named in the order of their right to petition the court to reinstate their right to possess a firearm.

Section 2 amends K.S.A. 59-2966 to provide that a court order for involuntary commitment for care and treatment shall notify the person named in the order of their right to petition the court to reinstate their right to possess a firearm.