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300 SW TENTH AVENUE ■ SUITE 24-E ■ TOPEKA, KS 66612 ■ (785) 296-2321

MEMORANDUM

To: Senate Committee on Judiciary
From: Office of Revisor of Statutes
Date: March 18, 2021
Subject: Bill Brief for HB 2077

House Bill 2077, as amended by House Committee of the Whole, extends the Kansas criminal justice reform commission, limits the commission's scope of study, and adds a public defender to the commission.

The bill amends K.S.A. 21-6902 to provide that the commission shall analyze diversion programs and make recommendations for legislation that requires pre-filing and post-filing diversion be available in all counties, establishes minimum standards for diversion, and provides a method for removing diversions from criminal records. The bill also requires the commission to discuss and develop recommendations for legislation to establish research-based standards and practices for community supervision programs that provide incentives to earn early discharge from supervision, create standardized terms and conditions for supervision, create effective responses to behavior through incentives and graduated sanctions, and provide for a means to consolidate concurrent supervision into one agency.

The bill removes the requirements to study specialty courts, survey the availability of evidence-based programming, study the placement of offenders within the department of corrections custody, evaluate information management systems, and study other matters. The House Committee of the Whole adopted an amendment offered by Representative Jennings to provide that the commission shall monitor the implementation of previously endorsed commission recommendations and receive updates, review data, and identify opportunities for coordination, collaboration or legislation as needed.

The bill also adds a public defender appointed by the executive director of the board of indigents' defense services to the commission and requires the commission to submit a final report to the Legislature by December 1, 2021.

If passed, the bill would become effective on publication in the Kansas register.