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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 24, 2021
Subject: Bill Brief for HB 2128

House Bill 2128, as amended by House Committee, seeks to clarify jurisdiction and supervision of offenders in the certified drug abuse treatment program.

Section 1 amends K.S.A. 21-6610 to provide that when a defendant is sentenced to participate in the certified drug abuse treatment program pursuant to K.S.A. 21-6824, the district court from which the defendant is on probation or supervision may transfer jurisdiction of the defendant with the concurrence of the receiving district court and all parties.

Section 2 amends K.S.A. 21-6824, the certified drug abuse treatment program statute, to provide that if an offender is permitted to go from the judicial district of the sentencing court, the court may transfer supervision from that judicial district to another and either transfer or retain jurisdiction of the offender. As introduced, the bill would have amended this section to allow offenders convicted of a nondrug, nonperson severity level 7 through 10 felony to participate in the certified drug abuse treatment program, but the House Committee on Corrections and Juvenile Justice removed these amendments.