

**As Amended by House Committee**

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*Session of 2021*

**HOUSE BILL No. 2083**

By Committee on Corrections and Juvenile Justice

1-20

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1 AN ACT concerning the Kansas sentencing commission; relating to  
2 membership; legislative members; amending K.S.A. 74-9102 and  
3 repealing the existing section.

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

6 Section 1. K.S.A. 74-9102 is hereby amended to read as follows: 74-  
7 9102. (a) The Kansas sentencing commission shall consist of 17 members,  
8 as follows:

9 (1) The chief justice of the supreme court or the chief justice's  
10 designee;

11 (2) two district court judges appointed by the chief justice of the  
12 supreme court;

13 (3) the attorney general or the attorney general's designee;

14 (4) one public defender appointed by the governor;

15 (5) one private defense counsel appointed by the governor;

16 (6) one county attorney or district attorney appointed by the governor;

17 (7) the secretary of corrections or the secretary's designee;

18 (8) the chairperson of the prisoner review board or such chairperson's  
19 designee;

20 (9) two members of the general public, at least one of whom shall be  
21 a member of a racial minority group, appointed by the governor;

22 (10) a director of a community corrections program appointed by the  
23 governor; and

24 (11) a court services officer appointed by the chief justice of the  
25 supreme court. Not more than three members of the commission appointed  
26 by the governor shall be of the same political party.

27 (b) In addition to the members appointed pursuant to subsection (a),  
28 four members of the legislature shall serve as voting members of the  
29 commission. Such members shall be appointed as follows: *One member of*  
30 *the standing senate committee on judiciary* shall be appointed by the  
31 president of the senate, *one member of the standing senate committee on*  
32 *judiciary* shall be appointed by the minority leader of the senate, *one*  
33 *member of the standing house committee on corrections and juvenile*  
34 *justice* shall be appointed by the speaker of the house of representatives  
35 and *one member of the standing house committee on corrections and*  
36 *juvenile justice* shall be appointed by the minority leader of the house of

1 representatives.

2 (c) The governor shall appoint a chairperson from the two district  
3 court judges appointed by the chief justice of the supreme court or the  
4 chief justice of the supreme court. The members of the commission  
5 appointed pursuant to subsection (a) shall elect any additional officers  
6 from among its members necessary to discharge its duties.

7 (d) The commission shall meet upon call of its chairperson as  
8 necessary to carry out its duties under this act.

9 (e) Each appointed member of the commission shall be appointed for  
10 a term of two years and shall continue to serve during that time as long as  
11 the member occupies the position which made the member eligible for the  
12 appointment. Each member shall continue in office until a successor is  
13 appointed and qualifies. Members shall be eligible for reappointment, and  
14 appointment may be made to fill an unexpired term.

15 (f) Each member of the commission shall receive compensation,  
16 subsistence allowances, mileage and other expenses as provided for in  
17 K.S.A. 75-3223, and amendments thereto, except that the public members  
18 of the commission shall receive compensation in the amount provided for  
19 legislators pursuant to K.S.A. 75-3212, and amendments thereto, for each  
20 day or part thereof actually spent on commission activities.

21 Sec. 2. K.S.A. 74-9102 is hereby repealed.

22 Sec. 3. This act shall take effect and be in force from and after  
23 **January 9, 2023, and** its publication in the statute book.