

HOUSE BILL No. 2109

By Committee on Judiciary

1-21

1 AN ACT concerning the board of indigents' defense services; relating to
2 appointments to the board; increasing population threshold of a county
3 required to have a lawyer member; increasing number of lawyer
4 members; decreasing number of non-lawyer members; amending
5 K.S.A. 22-4519 and repealing the existing section.
6

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

8 Section 1. K.S.A. 22-4519 is hereby amended to read as follows: 22-
9 4519. (a) There is hereby created within the executive branch of state
10 government the state board of indigents' defense services, which shall
11 consist of nine members appointed by the governor, subject to
12 confirmation by the senate as provided in K.S.A. 75-4315b, and
13 amendments thereto. Except as provided by K.S.A. 2020 Supp. 46-2601,
14 *an amendments thereto*, no person appointed to the ~~commission~~ board
15 shall exercise any power, duty or function as a member of the ~~commission~~
16 board until confirmed by the senate.

17 (b) The terms of members who are serving on the board on the
18 effective date of this act shall expire on January 15, of the year in which
19 such member's term would have expired under the provisions of this
20 section prior to amendment by this act. Thereafter, all appointments shall
21 be for terms of three years and until their successors are appointed and
22 confirmed.

23 (c) Of the nine members of the board, there shall be:

24 (1) Subject to the provisions of K.S.A. 75-4315c, and amendments
25 thereto, two members from the first congressional district, of whom one
26 shall be a lawyer registered with the Kansas supreme court, and at least
27 one member from each other congressional district in the state;

28 (2) at least one member from each county in the state having a
29 population in excess of ~~100,000~~ 115,000, who shall be a lawyer registered
30 with the Kansas supreme court, but not more than five members from such
31 counties; and

32 (3) ~~five~~ six members who are lawyers registered with the Kansas
33 supreme court and ~~four~~ three members who are not lawyers.

34 (d) No more than five members of the board shall be from the same
35 political party.

36 (e) No member of the board shall be, or shall be employed by, a

1 judicial officer or a law enforcement officer and no member of the board
2 shall be an employee of the board.

3 (f) Any member appointed to fill a vacancy occurring prior to the
4 expiration of the term for which such member's predecessor was appointed
5 shall hold office for the remainder of such term.

6 (g) No member of the board shall serve more than two consecutive
7 three-year terms.

8 Sec. 2. K.S.A. 22-4519 is hereby repealed.

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