

**HOUSE BILL No. 2344**

By Committee on Elections

2-10

1 AN ACT concerning Riley county; requiring the election of a sheriff and  
2 the abolishment of the Riley county law enforcement agency; repealing  
3 K.S.A. 19-4424, 19-4425, 19-4426, 19-4427, 19-4428, 19-4429, 19-  
4 4430, 19-4431, 19-4432, 19-4433, 19-4434, 19-4435, 19-4436, 19-  
5 4437, 19-4438, 19-4439, 19-4440, 19-4441, 19-4443, 19-4444 and 19-  
6 4445 and K.S.A. 2020 Supp. 19-4442.

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

9 Section 1. (a) The position of county sheriff in Riley county shall be  
10 elected for a four -year term of office beginning in the 2022 election cycle.

11 (b) The Riley county law enforcement agency is hereby abolished  
12 effective upon the second Monday in January 2023, and all powers, duties  
13 and responsibilities of the agency are hereby transferred to the county  
14 sheriff and the county sheriff's department on that date, as provided in  
15 section 2, and amendments thereto.

16 Sec. 2. (a) Upon the dissolution of the Riley county law enforcement  
17 agency, the county sheriff and the sheriff's department shall acquire the  
18 property of the agency subject to any leases or agreements duly and  
19 validly made by the agency. The county sheriff and the sheriff's  
20 department shall be responsible for the payment or retirement of any debts  
21 or obligations of the agency. All property, funds and assets of the agency  
22 shall be transferred to the county sheriff's department.

23 (b) The county sheriff and the sheriff's department shall be the  
24 successor in every way to the powers, duties and functions of the Riley  
25 county law enforcement agency. Every act performed in the exercise of  
26 such transferred powers, duties and functions by the county sheriff and the  
27 sheriff's department shall be deemed to have the same force and effect as if  
28 performed by the agency.

29 (c) Whenever the Riley county law enforcement agency is referred to  
30 or designated by a contract or other document and such reference is in  
31 regard to any of the powers, duties and functions transferred to the county  
32 sheriff and the sheriff's department, such reference or designation shall be  
33 deemed to apply to the county sheriff and the sheriff's department as the  
34 context requires.

35 (d) The county sheriff shall have the legal custody of all records,  
36 memoranda, writings, entries, prints, representations, electronic data, or

1 combinations thereof, of any act, transaction, occurrence or event of the  
2 agency.

3 (e) No suit, action or other proceeding, judicial or administrative,  
4 lawfully commenced, or that could have been commenced, by or against  
5 the Riley county law enforcement agency prior to its dissolution or by or  
6 against any officer employed by the agency, prior to its dissolution in such  
7 officer's official capacity or in relation to the discharge of such officer's  
8 official duties, shall abate by reason of the governmental reorganization  
9 effected under the provisions of this act.

10 Sec. 3. K.S.A. 19-4424, 19-4425, 19-4426, 19-4427, 19-4428, 19-  
11 4429, 19-4430, 19-4431, 19-4432, 19-4433, 19-4434, 19-4435, 19-4436,  
12 19-4437, 19-4438, 19-4439, 19-4440, 19-4441, 19-4443, 19-4444 and 19-  
13 4445 and K.S.A. 2020 Supp. 19-4442 are hereby repealed.

14 Sec. 4. This act shall take effect and be in force from and after  
15 January 1, 2022, and its publication in the statute book.