

SESSION OF 2022

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2634

As Recommended by House Committee on
Corrections and Juvenile Justice

Brief*

HB 2634 would amend the Kansas Code of Criminal Procedure to require a magistrate to order, as a condition of release for any person charged with a felony, that the person execute a waiver of extradition:

- Stating the person consents to extradition to Kansas and waives all procedures incidental to extradition proceedings pursuant to Kansas' enactment of the Uniform Criminal Extradition Act, or any other law, if such person is arrested in another state while on bond; and
- Acknowledging that the person shall not be released prior to trial in any other state pending extradition to Kansas.

The bill also would make technical amendments to ensure consistency in statutory organization.

Background

The bill was introduced by the House Committee on Corrections and Juvenile Justice at the request of Representative Thomas.

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

House Committee on Corrections and Juvenile Justice

In the House Committee hearing on February 14, 2022, a representative of the Johnson County Sheriff's Office testified as a **proponent** of the bill, stating the bill would assist in the extradition of fugitives from states such as Missouri. Representatives of the Kansas Sheriffs Association and the Kansas County and District Attorneys Association provided written-only proponent testimony.

A representative of the Kansas Association of Criminal Defense Lawyers provided written-only **opponent** testimony.

Fiscal Information

According to the fiscal note prepared by the Division of the budget on the bill, the Office of Judicial Administration indicates enactment of the bill would have a negligible fiscal effect that could be absorbed within existing resources. The Department of Corrections indicates enactment of the bill would have no fiscal effect. Any fiscal effect associated with the bill is not reflected in *The FY 2023 Governor's Budget Report*.

Criminal procedure; conditions of release; waiver of extradition