

SESSION OF 2022

SUPPLEMENTAL NOTE ON SENATE BILL NO. 457

As Recommended by Senate Committee on
Judiciary

Brief*

SB 457 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 Senate Committee on Judiciary at the request of a representative of the Johnson County Sheriff's Office.

*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>

[*Note:* A companion bill, HB 2634, was recommended favorably for passage by the House Committee on Corrections and Juvenile Justice on February 16, 2022.]

Senate Committee on Judiciary

In the Senate Committee hearing on February 16, 2022, a representative of the Johnson County Sheriff's Office testified as a **proponent** on the bill, stating the bill would assist law enforcement in bringing out-of-state fugitives back to the state to answer for crimes committed in Kansas. Written-only proponent testimony was provided by representatives of the Kansas County and District Attorneys Association and Kansas Sheriffs Association. No other testimony was provided.

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 enactment of the bill is not reflected in *The FY 2023 Governor's Budget Report*.

Crimes; criminal procedure; bond; extradition