

## REPORTS OF STANDING COMMITTEES

MR. SPEAKER:

The Committee on **Corrections and Juvenile Justice** recommends **HB 2113** be amended on page 1, in line 15, before "convicted" by inserting "who has been"; in line 21, by striking all before the period and inserting ":

(A) Satisfied the sentence imposed; or

(B) was discharged from probation, parole or a suspended sentence";

On page 2, in line 5, by striking all after "person"; in line 6, by striking all before "satisfied"; also in line 6, before "the" by inserting "the sentence imposed or"; in line 8, before the semicolon by inserting "or was discharged from probation, parole, conditional release or a suspended sentence"; in line 18, by striking "Any"; in line 19, by striking "person" and inserting "No person may petition for expungement until five or more years have elapsed since the person satisfied the sentence imposed or the terms of a diversion agreement or was discharged from probation, parole, conditional release or a suspended sentence, if such person was"; in line 20, by striking all after "constitute"; by striking all in lines 21 through 23; in line 24, by striking all before the colon;

On page 3, in line 2, by striking "Any person" and inserting "No person may petition for expungement until five or more years have elapsed since the person satisfied the sentence imposed or the terms of a diversion agreement or was discharged from probation, parole, conditional release or a suspended sentence, if such person was"; in line 4, by striking all after "thereto"; by striking all in lines 5 through 7; in line 8, by striking all before the period; in line 12, by striking "Any person" and inserting "No person may petition for expungement until 10 or

more years have elapsed since the person satisfied the sentence imposed or was discharged from probation, parole, conditional release or a suspended sentence, if such person was"; in line 15, by striking all after "thereto"; in line 16, by striking all before the period;

On page 4, in line 9, by striking the second comma and inserting "or"; also in line 9, by striking "or restitution"; in line 10, by striking the fourth comma and inserting "or"; in line 11, by striking "or restitution"; in line 12, after the period by inserting "The court may grant a petition for expungement when the petitioner owes outstanding restitution.";

On page 8, in line 28, by striking "was convicted of such offense" and inserting ": (A) Satisfied the sentence imposed; or (B) was discharged from probation, a community correctional services program, parole, postrelease supervision, conditional release or a suspended sentence"; in line 41, by striking "was convicted of such offense" and inserting "satisfied the sentence imposed"; also in line 41, by striking "fulfilled";

On page 9, in line 1, before the semicolon by inserting "or was discharged from probation, a community correctional services program, parole, postrelease supervision, conditional release or a suspended sentence"; in line 13, by striking "any person convicted"; by striking all in lines 14 through 17; in line 18, by striking all before the colon and inserting "no person may petition for expungement until five or more years have elapsed since the person satisfied the sentence imposed or the terms of a diversion agreement or was discharged from probation, a community correctional services program, parole, postrelease supervision, conditional release or a suspended sentence, if such person was convicted of";

On page 10, in line 11, by striking "Any person" and inserting "No person may petition for expungement until five or more years have elapsed since the person satisfied the sentence imposed or the terms of a diversion agreement or was discharged from probation, a community correctional services program, parole, postrelease supervision, conditional release or a suspended

sentence, if such person was"; in line 13, by striking "or who entered into a diversion"; by striking all in lines 14 through 16; in line 17, by striking all before the period and inserting "including any diversion for such violation"; in line 22, by striking "Any person" and inserting "No person may petition for expungement until 10 or more years have elapsed since the person satisfied the sentence imposed or was discharged from probation, a community correctional services program, parole, postrelease supervision, conditional release or a suspended sentence, if such person was"; in line 23, by striking all after "thereto"; by striking all in line 24; in line 25, by striking all before the period;

On page 12, in line 37, by striking the second comma and inserting "or"; also in line 37, by striking "or restitution"; in line 39, by striking the comma and inserting "or"; also in line 39, by striking "or restitution"; in line 40, after the period by inserting "The court may grant a petition for expungement when the petitioner owes outstanding restitution.";

On page 14, in line 29, by striking "12-4119" and inserting "20-169"; in line 33, by striking "12-4119" and inserting "20-169";

On page 19, in line 2, by striking "adjudication" and inserting "discharge"; in line 3, before "adjudication" by inserting "discharge for an"; in line 13, by striking "adjudication" and inserting "discharge"; in line 23, after "(2)" by inserting "(A)"; in line 25, by striking the second comma and inserting "or"; also in line 25, by striking "or restitution"; in line 26, by striking the fourth comma and inserting "or"; in line 27, by striking "or restitution"; in line 29, by striking the second comma and inserting "or"; in line 30, by striking "or restitution"; also in line 30, after the period by inserting "The court may grant a petition for expungement when the juvenile owes outstanding restitution.

(B) For the purpose of collecting such outstanding costs, fees, fines or restitution, the following persons shall have access to the expunged case file notwithstanding any expungement:

- (i) The clerk of the court;
- (ii) a contracting agent as defined in K.S.A. 20-169, and amendments thereto;
- (ii) the petitioner and the petitioner's attorney;
- (iv) the beneficiary under an order of restitution as defined in K.S.A. 20-169, and amendments thereto, and such beneficiary's attorney; and
- (v) any other person as authorized by a court order if the court finds it is necessary for the person to have access to the expunged case file for the purpose of collecting the outstanding costs, fees, fines or restitution.";

On page 1, in the title, in line 5, by striking the second comma and inserting "or"; also in line 5, by striking all after "fines"; in line 6, by striking all before the semicolon; also in line 6, after the semicolon by inserting "authorizing the court to grant a petition for expungement when restitution is outstanding;"; and the bill be passed as amended.

\_\_\_\_\_Chairperson