

# KPOA Weekly Legislative Report

## February 22, 2008

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### My activities for week of February 18-22:

- Attended two Senate Judiciary Subcommittee meetings (Monday and Thursday) on SB409, SB482, SB483, and SB484. SB495 has also been added to the subcommittee for consideration.
  - They discussed how to keep within the available bed space. They set the priorities of DUI in custody treatment and then consider perhaps select property crimes. Adjustments to keep with in the projected available bedspace may include going to 4<sup>th</sup> or 5<sup>th</sup> DUI instead of 3<sup>rd</sup> DUI. For property crimes it will require selecting higher priority non-person felonies. After the meeting I spoke to several legislators and suggested they look at auto theft, forgery and credit card fraud. They requested additional information from the sentencing commission and will meet again later this week.
  - In final meeting they voted to recommend a cut down version that would include mandatory prison on third or subsequent convictions of felony theft with treatment options in DOC in-custody treatment facility for 3<sup>rd</sup> time felony theft and burglary offenders, 5<sup>th</sup> DUI offenders, persons on conditional release who commit substance abuse condition violations, and 3<sup>rd</sup> time offenders of substance abuse statutes.
- Monitored Senate Judiciary Committee for final action on SB427, extending statute of limitation for sex offenders.
- Attended the Governor's Racial Profiling Task Force meeting.
  - They did not have a quorum and they discussed several differences remaining yet between the task force recommendations and SB610. No decisions made but several assignments made including attempting to find wording that would satisfy law enforcement and still remove "sole factor" language.
- Monitored House Judiciary Committee hearing on HB2816. This is the bill that fixes the problem they created last year in regard to suspending a driver's license of a student committing a school safety violation.
- Monitored House Judiciary hearings on stalking bill, HB2850.
- Monitored hearings in Senate Judiciary on SB551 Driving while suspended penalties and SB582 DUI local jail penalties.
- Monitored House Judiciary for final actions.

**Hearings of LE Interest scheduled for February 25-29:**

I don't propose we testify on all of these, but I will if I hear from you that we should.

Currently awaiting response from legislative committee regarding my recommended action.

- Senate Judiciary
  - Monday, February 25:
    - [SB 582](#)--Driving under the influence, ignition interlock and impoundment of vehicle. I do not plan to testify.
    - [SB 615](#)—Failure to maintain liability insurance, impoundment of vehicle. I do not plan to testify.
  - Tuesday, February 26:
    - [SB 640](#)—Recodification of drug statutes and moving them from Chapter 65 to Chapter 21. I do not plan to testify.
- Senate Federal and State Affairs Committee
  - Tuesday, February 27
    - [SB 458](#) – Immigration bill with a section on LE responsibilities. I do not plan to testify.
- House Transportation Committee
  - Monday, February 25
    - [HB 2709](#) – Regulation of Micro utility trucks. I do not plan to testify.
    - [HB 2861](#) - Purple heart medal recipient license plates I do not plan to testify.
- House Judiciary
  - No hearings of interest scheduled.
- House Federal and State Affairs Committee
  - Monday and Tuesday, February 25 and 26
    - [HB 2370](#) - Law enforcement cooperation and assistance in enforcement of immigration laws
    - [HB 2680](#) - Immigration accountability act
    - [HB 2836](#) - Immigration reform
- House Agriculture and Natural Resource
  - Monday, February 25
    - [HB 2829](#) - Declaring a temporary season for taking antlerless deer when Sheriff reports over 25% of motor vehicles in county due to vehicle-deer collisions. I do not plan to testify.

**Other Committee action scheduled for February 18-22:**

- Senate Judiciary Committee
  - Monday, Feb 25 – Final action, no testimony on:
    - [SB 495](#)—Prisoners held in local jail pending transfer to DOC for 10 days of less of remaining sentence will serve time in county jail.
  - Tuesday, Feb 26 – Final action, no testimony on:
    - [SB 581](#)--Juvenile offender, changing court of jurisdiction to adult court for possession of alcohol when offender is 14-17.
    - [SB 582](#)--Driving under the influence, ignition interlock and impoundment of vehicle
    - [SB 588](#)--Traffic in contraband in a correctional facility.

- Wednesday, Feb 27 – Final action, no testimony on:
  - [SB 615](#)—Failure to maintain liability insurance, impoundment of vehicle.
  - [SB 640](#)—Recodification of drug statutes and moving them from Chapter 65 to Chapter 21.
  - [SB 409](#)—Third strike bill.
  - [SB 482](#)—Substance abuse treatment of 3<sup>rd</sup> time substance abuse offenders.
  - [SB 483](#)—Substance abuse treatment for person violating substance abuse conditions while on probation or parole.
  - [SB 484](#)—Substance abuse treatment for multiple DUI offenders.
- Senate Federal and State Affairs Committee
  - Tuesday, February 26 – Staff presentation
    - [SB 458](#) – Immigration bill with a section on LE responsibilities.

#### New Bills Introduced Since My Last Update With Any Potential Impact on LE

- Please notify me if I have missed one you think should be on this list.
- Just because they are on the list doesn't mean I think we should support, oppose, or give testimony on these bills. I base that more on feedback from all of you. I will let you know if I think we should or shouldn't—but again the decision will be based on your feedback.
- The items in **bold** are bills I recommend we be directly involved with, including written or verbal testimony.

[HB 2910](#), Relating to domestic violence; amending K.S.A. 20-369, 21-3110, 21-3412, 21-4603d, 21-4704, 22-3210 and 60-3107 and K.S.A. 2007 Supp. 12-4104, 72-1397, 72-5445 and 74-5602 and repealing K.S.A. 21-3110b, 21-3412a and 21-4704b, by Committee on Judiciary.

#### GENERAL NOTES:

- The deadline for bills to move from their house of origin is March 1 which is the last day to consider bills still in the house of origin. This means any House bill not passed by the House or any Senate bill not passed by the Senate is dead, unless it has been in an exempt committee.
- Racial Profiling – We continue to attempt to work with the Racial Profiling Task Force. They have not introduced their bill yet as they voted to do. No hearing has been scheduled for SB610.