

## HOUSE BILL No. 2741

By Committee on Corrections and Juvenile Justice

Requested by Jennifer King on behalf of the Department of Corrections

2-7

1 AN ACT concerning crimes, punishment and criminal procedure; relating  
2 to supervision of offenders; updating the terms of supervision for  
3 offenders on probation and postrelease supervision; amending K.S.A.  
4 21-6607, 22-2907 and 22-3717 and repealing the existing sections.  
5

6 *Be it enacted by the Legislature of the State of Kansas:*

7 Section 1. K.S.A. 21-6607 is hereby amended to read as follows: 21-  
8 6607. (a) Except as required by subsection (c), nothing in this section shall  
9 be construed to limit the authority of the court to impose or modify any  
10 general or specific conditions of probation, suspension of sentence or  
11 assignment to a community correctional services program. The court  
12 services officer or community correctional services officer may  
13 recommend, and the court may order, the imposition of any conditions of  
14 probation, suspension of sentence or assignment to a community  
15 correctional services program. For crimes committed on or after July 1,  
16 1993, in presumptive nonprison cases, the court services officer or  
17 community correctional services officer may recommend, and the court  
18 may order, the imposition of any conditions of probation or assignment to  
19 a community correctional services program. The court may at any time  
20 order the modification of such conditions, after notice to the court services  
21 officer or community correctional services officer and an opportunity for  
22 such officer to be heard thereon. The court shall cause a copy of any such  
23 order to be delivered to the court services officer and the probationer or to  
24 the community correctional services officer and the community corrections  
25 participant, as the case may be. The provisions of K.S.A. 75-5291, and  
26 amendments thereto, shall be applicable to any assignment to a community  
27 correctional services program pursuant to this section.

28 (b) The court may impose any conditions of probation, suspension of  
29 sentence or assignment to a community correctional services program that  
30 the court deems proper, including, but not limited to, requiring that the  
31 defendant:

32 (1) ~~Avoid such injurious or vicious habits, as directed by the court,~~  
33 ~~court services officer or community correctional services officer;~~

34 (2) ~~avoid such persons or places of disreputable or harmful character,~~  
35 ~~as directed by the court, court services officer or community correctional~~

- 1 services officer;
- 2 ~~(3) report to the court services officer or community correctional~~  
3 ~~services officer as directed;~~
- 4 ~~(4) permit the court services officer or community correctional~~  
5 ~~services officer to visit the defendant at home or elsewhere;~~
- 6 ~~(5) work faithfully at suitable employment insofar as possible;~~
- 7 ~~(6) remain within the state unless the court grants permission to~~  
8 ~~leave;~~
- 9 ~~(7) pay a fine or costs, applicable to the offense, in one or several~~  
10 ~~sums and in the manner as directed by the court;~~
- 11 ~~(8) support the defendant's dependents;~~
- 12 ~~(9) reside in a residential facility located in the community and~~  
13 ~~participate in educational, counseling, work and other correctional or~~  
14 ~~rehabilitative programs;~~
- 15 ~~(10) perform community or public service work for local~~  
16 ~~governmental agencies, private corporations organized not for profit, or~~  
17 ~~charitable or social service organizations performing services for the~~  
18 ~~community;~~
- 19 ~~(11) perform services under a system of day fines whereby the~~  
20 ~~defendant is required to satisfy fines, costs or reparation or restitution~~  
21 ~~obligations by performing services for a period of days, determined by the~~  
22 ~~court on the basis of ability to pay, standard of living, support obligations~~  
23 ~~and other factors;~~
- 24 ~~(12) participate in a house arrest program pursuant to K.S.A. 21-~~  
25 ~~6609, and amendments thereto;~~
- 26 ~~(13) order the defendant to pay the administrative fee authorized by~~  
27 ~~K.S.A. 22-4529, and amendments thereto, unless waived by the court; or~~
- 28 ~~(14) in felony cases, except for violations of K.S.A. 8-1567, and~~  
29 ~~amendments thereto, be confined in a county jail not to exceed 60 days,~~  
30 ~~which need not be served consecutively~~*Obey all laws and ordinances and*  
31 *report any law enforcement contact to the defendant's supervision officer*  
32 *within 24 hours after such contact;*
- 33 *(2) not engage in physical violence or threats of violence of any kind*  
34 *and, if the defendant is being supervised for conviction of a felony, not*  
35 *purchase or possess a dangerous weapon, including a firearm, while on*  
36 *supervision;*
- 37 *(3) report to the defendant's supervision officer as directed and be*  
38 *truthful in all matters;*
- 39 *(4) remain within the state of Kansas or other specified areas as*  
40 *defined by the defendant's supervision officer;*
- 41 *(5) reside at the defendant's approved residence unless the defendant*  
42 *receives permission from the defendant's supervision officer to relocate*  
43 *and notify the defendant's supervision officer within 24 hours after any*

1 emergency changes in residence or contact information;

2 (6) not possess, use or distribute any controlled substances except

3 those prescribed by a licensed medical professional;

4 (7) not possess or consume any form of alcohol or intoxicating

5 substance or enter any establishment where alcohol is sold or consumed

6 as the primary business;

7 (8) submit to any form of alcohol or substance use testing directed by

8 the defendant's supervision officer and not alter or tamper with the

9 specimen or test;

10 (9) participate in assessment, treatment, programming and other

11 directives of the court or the defendant's supervision officer;

12 (10) ~~submit~~ to searches of the defendant's person, effects, vehicle,

13 residence or property by ~~the defendant's supervision officer~~ or any law

14 enforcement officer based on reasonable suspicion that the defendant

15 violated conditions of ~~supervision~~ or engaged in criminal activity; or

16 (11) refrain from contacting victims unless authorized by the court to

17 contact a victim as part of rehabilitative or therapeutic purposes.

18 (c) In addition to any ~~other~~ conditions of probation, suspension of

19 sentence or assignment to a community correctional services program

20 ordered pursuant to subsection (b), the court shall order the defendant to

21 comply with each of the following conditions:

22 (1) The defendant shall obey all laws of the United States, the state of

23 Kansas and any other jurisdiction to the laws of which the defendant may

24 be subject;

25 (2) Make reparation or restitution to the aggrieved party for the

26 damage or loss caused by the defendant's crime in accordance with K.S.A.

27 21-6604(b), and amendments thereto;

28 (3)(2) (A) pay a correctional supervision fee of \$60 if the person was

29 convicted of a misdemeanor or a fee of \$120 if the person was convicted

30 of a felony. In any case the amount of the correctional supervision fee

31 specified by this paragraph may be reduced or waived by the judge if the

32 person is unable to pay that amount;

33 (B) the correctional supervision fee imposed by this paragraph shall

34 be charged and collected by the district court. The clerk of the district

35 court shall remit all revenues received under this paragraph from

36 correctional supervision fees to the state treasurer in accordance with the

37 provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of

38 each such remittance, the state treasurer shall deposit the entire amount in

39 the state treasury to the credit of the state general fund, a sum equal to

40 41.67% of such remittance, and to the correctional supervision fund, a sum

41 equal to 58.33% of such remittance;

42 (C) this paragraph shall apply to persons placed on felony or

43 misdemeanor probation or released on misdemeanor parole to reside in

and

be subject

a court services officer, community correctional services officer

other

probation

1 Kansas and supervised by Kansas court services officers under the  
2 interstate compact for offender supervision; and

3 (D) this paragraph shall not apply to persons placed on probation or  
4 released on parole to reside in Kansas under the uniform act for out-of-  
5 state parolee supervision; *and*

6 ~~(4)~~(3) reimburse the state general fund for all or a part of the  
7 expenditures by the state board of indigents' defense services to provide  
8 counsel and other defense services to the defendant. In determining  
9 the amount and method of payment of such sum, the court shall take account  
10 of the financial resources of the defendant and the nature of the burden that  
11 payment of such sum will impose. A defendant who has been required to  
12 pay such sum and who is not willfully in default in the payment thereof  
13 may at any time petition the court which sentenced the defendant to waive  
14 payment of such sum or of any unpaid portion thereof. If it appears to the  
15 satisfaction of the court that payment of the amount due will impose  
16 manifest hardship on the defendant or the defendant's immediate family,  
17 the court may waive payment of all or part of the amount due or modify  
18 the method of payment. The amount of attorney fees to be included in the  
19 court order for reimbursement shall be the amount claimed by appointed  
20 counsel on the payment voucher for indigents' defense services or the  
21 amount prescribed by the board of indigents' defense services  
22 reimbursement tables as provided in K.S.A. 22-4522, and amendments  
23 thereto, whichever is less;

24 ~~(5) be subject to searches of the defendant's person, effects, vehicle,~~  
25 ~~residence and property by a court services officer, a community~~  
26 ~~correctional services officer and any other law enforcement officer based~~  
27 ~~on reasonable suspicion of the defendant violating conditions of probation~~  
28 ~~or criminal activity; and~~

29 ~~(6) be subject to random, but reasonable, tests for drug and alcohol~~  
30 ~~consumption as ordered by a court services officer or community~~  
31 ~~correctional services officer.~~

32 (d) *The office of judicial administration and the department of*  
33 *corrections shall collaborate to develop documentation related to*  
34 *conditions of supervision.*

35 (e) Any law enforcement officer ~~conducting~~ a search pursuant to  
36 subsection ~~(e)(5)~~ (b)(10) shall submit a written report to the appropriate  
37 court services officer or community correctional services officer ~~no later~~  
38 than the close of ~~the next business day~~ after such search. The written report  
39 shall include the facts leading to such search, the scope of such search and  
40 any findings resulting from such search.

41 ~~(e)(f)~~ There is hereby established in the state treasury the correctional  
42 supervision fund. All moneys credited to the correctional supervision fund  
43 shall be used for: (1) The implementation of and training for use of a

who conducts

not

business the next day

is conducted

1 statewide, mandatory, standardized risk assessment tool or instrument as  
2 specified by the Kansas sentencing commission, pursuant to K.S.A. 75-  
3 5291, and amendments thereto; (2) the implementation of and training for  
4 use of a statewide, mandatory, standardized risk assessment tool or  
5 instrument for juveniles adjudicated to be juvenile offenders; and (3)  
6 evidence-based adult and juvenile offender supervision programs by  
7 judicial branch personnel. If all expenditures for the program have been  
8 paid and moneys remain in the correctional supervision fund for a fiscal  
9 year, remaining moneys may be expended from the correctional  
10 supervision fund to support adult and juvenile offender supervision by  
11 court services officers. All expenditures from the correctional supervision  
12 fund shall be made in accordance with appropriation acts upon warrants of  
13 the director of accounts and reports issued pursuant to vouchers approved  
14 by the chief justice of the Kansas supreme court or by a person or persons  
15 designated by the chief justice.

16 Sec. 2. K.S.A. 22-2907 is hereby amended to read as follows: 22-  
17 2907. (a) After a complaint has been filed charging a defendant with  
18 commission of a crime and prior to conviction thereof, and after the  
19 district attorney has considered the factors listed in K.S.A. 22-2908, if it  
20 appears to the district attorney that diversion of the defendant would be in  
21 the interests of justice and of benefit to the defendant and the community,  
22 the district attorney may propose a diversion agreement to the defendant.  
23 The terms of each diversion agreement shall be established by the district  
24 attorney in accordance with K.S.A. 22-2909, and amendments thereto.

25 (b) Each district attorney shall adopt written policies and guidelines  
26 for the implementation of a diversion program in accordance with this act.  
27 Such policies and guidelines shall provide for a diversion conference and  
28 other procedures in those cases where the district attorney elects to offer  
29 diversion in lieu of further criminal proceedings on the complaint.

30 (c) Each defendant shall be informed in writing of the diversion  
31 program and the policies and guidelines adopted by the district attorney.  
32 The district attorney may require any defendant requesting diversion to  
33 provide information regarding prior criminal charges, education, work  
34 experience and training, family, residence in the community, medical  
35 history, including any psychiatric or psychological treatment or  
36 counseling, and other information relating to the diversion program. In all  
37 cases, the defendant shall be present and shall have the right to be  
38 represented by counsel at the diversion conference with the district  
39 attorney.

40 (d) (1) A county or district attorney may enter into a memorandum of  
41 understanding with the chief judge of a judicial district or community  
42 correctional services to assist with supervision and monitoring of persons  
43 who have entered into a diversion agreement. The county or district

1 attorney shall retain authority over whether a defendant is given the option  
2 to enter into a diversion agreement and whether the defendant's diversion  
3 agreement will be revoked.

4 (2) A memorandum of understanding shall include provisions related  
5 to:

- 6 (A) Determining the level of supervision needed for a defendant;
- 7 (B) use of a criminal risk-need assessment;
- 8 (C) payment of costs for supervision; and
- 9 (D) waiver of the supervision fee established in this subsection.

10 (3) (A) When a person who has entered into a diversion agreement is  
11 supervised pursuant to a memorandum of understanding under this  
12 subsection, the person shall pay a supervision fee in the amount  
13 established in K.S.A. 21-6607~~(e)(3)(A)~~ (c)(2)(A) for misdemeanor or  
14 felony post-conviction supervision, as appropriate for the crime charged.

15 (B) The diversion supervision fee imposed by this paragraph shall be  
16 charged and collected by the county or district attorney.

17 (C) All moneys collected pursuant to this section shall be paid into  
18 the county general fund and used to fund the costs of diversion supervision  
19 performed pursuant to a memorandum of understanding under this  
20 subsection.

21 (D) The diversion supervision fee specified by this paragraph may be  
22 reduced or waived by the county or district attorney in accordance with a  
23 memorandum of understanding under this subsection.

24 (4) When a person who has entered into a diversion agreement is  
25 supervised pursuant to a memorandum of understanding under this  
26 subsection, the person shall pay the actual costs of any urinalysis testing  
27 required as a term of supervision. Payments for urinalysis testing shall be  
28 remitted to the county treasurer for deposit in the county general fund. The  
29 costs of urinalysis testing may be reduced or waived by the county or  
30 district attorney.

31 (5) The office of judicial administration may develop guidelines  
32 regarding the content of a memorandum of understanding between a  
33 county or district attorney and the chief judge of a judicial district and the  
34 administration of a supervision program operating pursuant to such  
35 memorandum of understanding.

36 Sec. 3. K.S.A. 22-3717 is hereby amended to read as follows: 22-  
37 3717. (a) Except as otherwise provided by this section; K.S.A. 1993 Supp.  
38 21-4628, prior to its repeal; K.S.A. 21-4624, 21-4635 through 21-4638 and  
39 21-4642, prior to their repeal; K.S.A. 21-6617, 21-6620, 21-6623, 21-  
40 6624, 21-6625 and 21-6626, and amendments thereto; and K.S.A. 8-1567,  
41 and amendments thereto; an inmate, including an inmate sentenced  
42 pursuant to K.S.A. 21-4618, prior to its repeal, or K.S.A. 21-6707, and  
43 amendments thereto, shall be eligible for parole after serving the entire

1 minimum sentence imposed by the court, less good time credits.

2 (b) (1) An inmate sentenced to imprisonment for life without the  
3 possibility of parole pursuant to K.S.A. 21-6617, and amendments thereto,  
4 shall not be eligible for parole.

5 (2) Except as provided by K.S.A. 21-4635 through 21-4638, prior to  
6 their repeal, and K.S.A. 21-6620, 21-6623, 21-6624 and 21-6625, and  
7 amendments thereto, an inmate sentenced to imprisonment for the crime  
8 of: (A) Capital murder committed on or after July 1, 1994, shall be eligible  
9 for parole after serving 25 years of confinement, without deduction of any  
10 good time credits; (B) murder in the first degree based upon a finding of  
11 premeditated murder committed on or after July 1, 1994, but prior to July  
12 1, 2014, shall be eligible for parole after serving 25 years of confinement,  
13 without deduction of any good time credits; and (C) murder in the first  
14 degree as described in K.S.A. 21-5402(a)(2), and amendments thereto,  
15 committed on or after July 1, 2014, shall be eligible for parole after  
16 serving 25 years of confinement, without deduction of any good time  
17 credits.

18 (3) Except as provided by subsections (b)(1), (b)(2) and (b)(5),  
19 K.S.A. 1993 Supp. 21-4628, prior to its repeal, K.S.A. 21-4635 through  
20 21-4638, prior to their repeal, and K.S.A. 21-6620, 21-6623, 21-6624 and  
21 21-6625, and amendments thereto, an inmate sentenced to imprisonment  
22 for an off-grid offense committed on or after July 1, 1993, but prior to July  
23 1, 1999, shall be eligible for parole after serving 15 years of confinement,  
24 without deduction of any good time credits and an inmate sentenced to  
25 imprisonment for an off-grid offense committed on or after July 1, 1999,  
26 shall be eligible for parole after serving 20 years of confinement without  
27 deduction of any good time credits.

28 (4) Except as provided by K.S.A. 1993 Supp. 21-4628, prior to its  
29 repeal, an inmate sentenced for a class A felony committed before July 1,  
30 1993, including an inmate sentenced pursuant to K.S.A. 21-4618, prior to  
31 its repeal, or K.S.A. 21-6707, and amendments thereto, shall be eligible for  
32 parole after serving 15 years of confinement, without deduction of any  
33 good time credits.

34 (5) An inmate sentenced to imprisonment for a violation of K.S.A.  
35 21-3402(a), prior to its repeal, committed on or after July 1, 1996, but  
36 prior to July 1, 1999, shall be eligible for parole after serving 10 years of  
37 confinement without deduction of any good time credits.

38 (6) An inmate sentenced to imprisonment pursuant to K.S.A. 21-  
39 4643, prior to its repeal, or K.S.A. 21-6627, and amendments thereto,  
40 committed on or after July 1, 2006, shall be eligible for parole after  
41 serving the mandatory term of imprisonment without deduction of any  
42 good time credits.

43 (c) (1) Except as provided in subsection (e), if an inmate is sentenced



1 to imprisonment for more than one crime and the sentences run  
2 consecutively, the inmate shall be eligible for parole after serving the total  
3 of:

4 (A) The aggregate minimum sentences, as determined pursuant to  
5 K.S.A. 21-4608, prior to its repeal, or K.S.A. 21-6606, and amendments  
6 thereto, less good time credits for those crimes which are not class A  
7 felonies; and

8 (B) an additional 15 years, without deduction of good time credits,  
9 for each crime which is a class A felony.

10 (2) If an inmate is sentenced to imprisonment pursuant to K.S.A. 21-  
11 4643, prior to its repeal, or K.S.A. 21-6627, and amendments thereto, for  
12 crimes committed on or after July 1, 2006, the inmate shall be eligible for  
13 parole after serving the mandatory term of imprisonment.

14 (d) (1) Persons sentenced for crimes, other than off-grid crimes,  
15 committed on or after July 1, 1993, or persons subject to subparagraph  
16 (G), will not be eligible for parole, but will be released to a mandatory  
17 period of postrelease supervision upon completion of the prison portion of  
18 their sentence as follows:

19 (A) Except as provided in subparagraphs (D) and (E), persons  
20 sentenced for nondrug severity levels 1 through 4 crimes, drug severity  
21 levels 1 and 2 crimes committed on or after July 1, 1993, but prior to July  
22 1, 2012, and drug severity levels 1, 2 and 3 crimes committed on or after  
23 July 1, 2012, must serve 36 months on postrelease supervision.

24 (B) Except as provided in subparagraphs (D) and (E), persons  
25 sentenced for nondrug severity levels 5 and 6 crimes, drug severity level 3  
26 crimes committed on or after July 1, 1993, but prior to July 1, 2012, and  
27 drug severity level 4 crimes committed on or after July 1, 2012, must serve  
28 24 months on postrelease supervision.

29 (C) Except as provided in subparagraphs (D) and (E), persons  
30 sentenced for nondrug severity levels 7 through 10 crimes, drug severity  
31 level 4 crimes committed on or after July 1, 1993, but prior to July 1,  
32 2012, and drug severity level 5 crimes committed on or after July 1, 2012,  
33 must serve 12 months on postrelease supervision.

34 (D) Persons sentenced to a term of imprisonment that includes a  
35 sentence for a sexually violent crime as defined in K.S.A. 22-3717, and  
36 amendments thereto, committed on or after July 1, 1993, but prior to July  
37 1, 2006, a sexually motivated crime in which the offender has been  
38 ordered to register pursuant to K.S.A. 22-3717(d)(1)(D)(vii), and  
39 amendments thereto, electronic solicitation, K.S.A. 21-3523, prior to its  
40 repeal, or K.S.A. 21-5509, and amendments thereto, or unlawful sexual  
41 relations, K.S.A. 21-3520, prior to its repeal, or K.S.A. 21-5512, and  
42 amendments thereto, shall serve the period of postrelease supervision as  
43 provided in subsections (d)(1)(A), (d)(1)(B) or (d)(1)(C), plus the amount



1 of good time and program credit earned and retained pursuant to K.S.A.  
2 21-4722, prior to its repeal, or K.S.A. 21-6821, and amendments thereto,  
3 on postrelease supervision.

4 (i) If the sentencing judge finds substantial and compelling reasons to  
5 impose a departure based upon a finding that the current crime of  
6 conviction was sexually motivated, departure may be imposed to extend  
7 the postrelease supervision to a period of up to 60 months.

8 (ii) If the sentencing judge departs from the presumptive postrelease  
9 supervision period, the judge shall state on the record at the time of  
10 sentencing the substantial and compelling reasons for the departure.  
11 Departures in this section are subject to appeal pursuant to K.S.A. 21-  
12 4721, prior to its repeal, or K.S.A. 21-6820, and amendments thereto.

13 (iii) In determining whether substantial and compelling reasons exist,  
14 the court shall consider:

15 (a) Written briefs or oral arguments submitted by either the defendant  
16 or the state;

17 (b) any evidence received during the proceeding;

18 (c) the presentence report, the victim's impact statement and any  
19 psychological evaluation as ordered by the court pursuant to K.S.A. 21-  
20 4714(e), prior to its repeal, or K.S.A. 21-6813(e), and amendments thereto;  
21 and

22 (d) any other evidence the court finds trustworthy and reliable.

23 (iv) The sentencing judge may order that a psychological evaluation  
24 be prepared and the recommended programming be completed by the  
25 offender. The department of corrections or the prisoner review board shall  
26 ensure that court ordered sex offender treatment be carried out.

27 (v) In carrying out the provisions of subsection (d)(1)(D), the court  
28 shall refer to K.S.A. 21-4718, prior to its repeal, or K.S.A. 21-6817, and  
29 amendments thereto.

30 (vi) Upon petition and payment of any restitution ordered pursuant to  
31 K.S.A. 21-6604, and amendments thereto, the prisoner review board may  
32 provide for early discharge from the postrelease supervision period  
33 imposed pursuant to subsection (d)(1)(D)(i) upon completion of court  
34 ordered programs and completion of the presumptive postrelease  
35 supervision period, as determined by the crime of conviction, pursuant to  
36 subsection (d)(1)(A), (d)(1)(B) or (d)(1)(C). Early discharge from  
37 postrelease supervision is at the discretion of the board.

38 (vii) Persons convicted of crimes deemed sexually violent or sexually  
39 motivated shall be registered according to the offender registration act,  
40 K.S.A. 22-4901 through 22-4910, and amendments thereto.

41 (viii) Persons convicted of K.S.A. 21-3510 or 21-3511, prior to their  
42 repeal, or K.S.A. 21-5508, and amendments thereto, shall be required to  
43 participate in a treatment program for sex offenders during the postrelease

1 supervision period.

2 (E) The period of postrelease supervision provided in subparagraphs  
3 (A) and (B) may be reduced by up to 12 months and the period of  
4 postrelease supervision provided in subparagraph (C) may be reduced by  
5 up to six months based on the offender's compliance with conditions of  
6 supervision and overall performance while on postrelease supervision. The  
7 reduction in the supervision period shall be on an earned basis pursuant to  
8 rules and regulations adopted by the secretary of corrections.

9 (F) In cases where sentences for crimes from more than one severity  
10 level have been imposed, the offender shall serve the longest period of  
11 postrelease supervision as provided by this section available for any crime  
12 upon which sentence was imposed irrespective of the severity level of the  
13 crime. Supervision periods will not aggregate.

14 (G) (i) Except as provided in subsection ~~(v)~~, persons sentenced to  
15 imprisonment for a sexually violent crime committed on or after July 1,  
16 2006, when the offender was 18 years of age or older, and who are  
17 released from prison, shall be released to a mandatory period of  
18 postrelease supervision for the duration of the person's natural life.

19 (ii) Persons sentenced to imprisonment for a sexually violent crime  
20 committed on or after the effective date of this act, when the offender was  
21 under 18 years of age, and who are released from prison, shall be released  
22 to a mandatory period of postrelease supervision for 60 months, plus the  
23 amount of good time and program credit earned and retained pursuant to  
24 K.S.A. 21-4722, prior to its repeal, or K.S.A. 21-6821, and amendments  
25 thereto.

26 (2) Persons serving a period of postrelease supervision pursuant to  
27 subsections (d)(1)(A), (d)(1)(B) or (d)(1)(C) may petition the prisoner  
28 review board for early discharge. Upon payment of restitution, the prisoner  
29 review board may provide for early discharge.

30 (3) Persons serving a period of incarceration for a supervision  
31 violation shall not have the period of postrelease supervision modified  
32 until such person is released and returned to postrelease supervision.

33 (4) Offenders whose crime of conviction was committed on or after  
34 July 1, 2013, and whose probation, assignment to a community  
35 correctional services program, suspension of sentence or nonprison  
36 sanction is revoked pursuant to K.S.A. 22-3716(c), and amendments  
37 thereto, or whose underlying prison term expires while serving a sanction  
38 pursuant to K.S.A. 22-3716(c), and amendments thereto, shall serve a  
39 period of postrelease supervision upon the completion of the underlying  
40 prison term.

41 (5) As used in this subsection, "sexually violent crime" means:

42 (A) Rape, K.S.A. 21-3502, prior to its repeal, or K.S.A. 21-5503, and  
43 amendments thereto;

- 1 (B) indecent liberties with a child, K.S.A. 21-3503, prior to its repeal,  
2 or K.S.A. 21-5506(a), and amendments thereto;
- 3 (C) aggravated indecent liberties with a child, K.S.A. 21-3504, prior  
4 to its repeal, or K.S.A. 21-5506(b), and amendments thereto;
- 5 (D) criminal sodomy, K.S.A. 21-3505(a)(2) and (a)(3), prior to its  
6 repeal, or K.S.A. 21-5504(a)(3) and (a)(4), and amendments thereto;
- 7 (E) aggravated criminal sodomy, K.S.A. 21-3506, prior to its repeal,  
8 or K.S.A. 21-5504(b), and amendments thereto;
- 9 (F) indecent solicitation of a child, K.S.A. 21-3510, prior to its repeal,  
10 or K.S.A. 21-5508(a), and amendments thereto;
- 11 (G) aggravated indecent solicitation of a child, K.S.A. 21-3511, prior  
12 to its repeal, or K.S.A. 21-5508(b), and amendments thereto;
- 13 (H) sexual exploitation of a child, K.S.A. 21-3516, prior to its repeal,  
14 or K.S.A. 21-5510, and amendments thereto;
- 15 (I) aggravated sexual battery, K.S.A. 21-3518, prior to its repeal, or  
16 K.S.A. 21-5505(b), and amendments thereto;
- 17 (J) aggravated incest, K.S.A. 21-3603, prior to its repeal, or K.S.A.  
18 21-5604(b), and amendments thereto;
- 19 (K) aggravated human trafficking, as defined in K.S.A. 21-3447,  
20 prior to its repeal, or K.S.A. 21-5426(b), and amendments thereto, if  
21 committed in whole or in part for the purpose of the sexual gratification of  
22 the defendant or another;
- 23 (L) internet trading in child pornography, as defined in K.S.A. 21-  
24 5514(a), and amendments thereto;
- 25 (M) aggravated internet trading in child pornography, as defined in  
26 K.S.A. 21-5514(b), and amendments thereto;
- 27 (N) commercial sexual exploitation of a child, as defined in K.S.A.  
28 21-6422, and amendments thereto; or
- 29 (O) an attempt, conspiracy or criminal solicitation, as defined in  
30 K.S.A. 21-3301, 21-3302 or 21-3303, prior to their repeal, or K.S.A. 21-  
31 5301, 21-5302 or 21-5303, and amendments thereto, of a sexually violent  
32 crime as defined in this section.
- 33 (6) As used in this subsection, "sexually motivated" means that one of  
34 the purposes for which the defendant committed the crime was for the  
35 purpose of the defendant's sexual gratification.
- 36 (e) If an inmate is sentenced to imprisonment for a crime committed  
37 while on parole or conditional release, the inmate shall be eligible for  
38 parole as provided by subsection (c), except that the prisoner review board  
39 may postpone the inmate's parole eligibility date by assessing a penalty not  
40 exceeding the period of time which could have been assessed if the  
41 inmate's parole or conditional release had been violated for reasons other  
42 than conviction of a crime.
- 43 (f) If a person is sentenced to prison for a crime committed on or after

1 July 1, 1993, while on probation, parole, conditional release or in a  
2 community corrections program, for a crime committed prior to July 1,  
3 1993, and the person is not eligible for retroactive application of the  
4 sentencing guidelines and amendments thereto pursuant to K.S.A. 21-  
5 4724, prior to its repeal, the new sentence shall not be aggregated with the  
6 old sentence, but shall begin when the person is paroled or reaches the  
7 conditional release date on the old sentence. If the offender was past the  
8 offender's conditional release date at the time the new offense was  
9 committed, the new sentence shall not be aggregated with the old sentence  
10 but shall begin when the person is ordered released by the prisoner review  
11 board or reaches the maximum sentence expiration date on the old  
12 sentence, whichever is earlier. The new sentence shall then be served as  
13 otherwise provided by law. The period of postrelease supervision shall be  
14 based on the new sentence, except that those offenders whose old sentence  
15 is a term of imprisonment for life, imposed pursuant to K.S.A. 1993 Supp.  
16 21-4628, prior to its repeal, or an indeterminate sentence with a maximum  
17 term of life imprisonment, for which there is no conditional release or  
18 maximum sentence expiration date, shall remain on postrelease  
19 supervision for life or until discharged from supervision by the prisoner  
20 review board.

21 (g) Subject to the provisions of this section, the prisoner review board  
22 may release on parole those persons confined in institutions who are  
23 eligible for parole when: (1) The board believes that the inmate should be  
24 released for hospitalization, deportation or to answer the warrant or other  
25 process of a court and is of the opinion that there is reasonable probability  
26 that the inmate can be released without detriment to the community or to  
27 the inmate; or (2) the secretary of corrections has reported to the board in  
28 writing that the inmate has satisfactorily completed the programs required  
29 by any agreement entered under K.S.A. 75-5210a, and amendments  
30 thereto, or any revision of such agreement, and the board believes that the  
31 inmate is able and willing to fulfill the obligations of a law abiding citizen  
32 and is of the opinion that there is reasonable probability that the inmate  
33 can be released without detriment to the community or to the inmate.  
34 Parole shall not be granted as an award of clemency and shall not be  
35 considered a reduction of sentence or a pardon.

36 (h) The prisoner review board shall hold a parole hearing at least the  
37 month prior to the month an inmate will be eligible for parole under  
38 subsections (a), (b) and (c). At least one month preceding the parole  
39 hearing, the county or district attorney of the county where the inmate was  
40 convicted shall give written notice of the time and place of the public  
41 comment sessions for the inmate to any victim of the inmate's crime who  
42 is alive and whose address is known to the county or district attorney or, if  
43 the victim is deceased, to the victim's family if the family's address is

1 known to the county or district attorney. Except as otherwise provided,  
2 failure to notify pursuant to this section shall not be a reason to postpone a  
3 parole hearing. In the case of any inmate convicted of an off-grid felony or  
4 a class A felony, the secretary of corrections shall give written notice of the  
5 time and place of the public comment session for such inmate at least one  
6 month preceding the public comment session to any victim of such  
7 inmate's crime or the victim's family pursuant to K.S.A. 74-7338, and  
8 amendments thereto. If notification is not given to such victim or such  
9 victim's family in the case of any inmate convicted of an off-grid felony or  
10 a class A felony, the board shall postpone a decision on parole of the  
11 inmate to a time at least 30 days after notification is given as provided in  
12 this section. Nothing in this section shall create a cause of action against  
13 the state or an employee of the state acting within the scope of the  
14 employee's employment as a result of the failure to notify pursuant to this  
15 section. If granted parole, the inmate may be released on parole on the date  
16 specified by the board, but not earlier than the date the inmate is eligible  
17 for parole under subsections (a), (b) and (c). At each parole hearing and, if  
18 parole is not granted, at such intervals thereafter as it determines  
19 appropriate, the board shall consider: (1) Whether the inmate has  
20 satisfactorily completed the programs required by any agreement entered  
21 under K.S.A. 75-5210a, and amendments thereto, or any revision of such  
22 agreement; and (2) all pertinent information regarding such inmate,  
23 including, but not limited to, the circumstances of the offense of the  
24 inmate; the presentence report; the previous social history and criminal  
25 record of the inmate; the conduct, employment, and attitude of the inmate  
26 in prison; the reports of such physical and mental examinations as have  
27 been made, including, but not limited to, risk factors revealed by any risk  
28 assessment of the inmate; comments of the victim and the victim's family  
29 including in person comments, contemporaneous comments and  
30 prerecorded comments made by any technological means; comments of  
31 the public; official comments; any recommendation by the staff of the  
32 facility where the inmate is incarcerated; proportionality of the time the  
33 inmate has served to the sentence a person would receive under the Kansas  
34 sentencing guidelines for the conduct that resulted in the inmate's  
35 incarceration; and capacity of state correctional institutions.

36 (i) In those cases involving inmates sentenced for a crime committed  
37 after July 1, 1993, the prisoner review board will review the inmate's  
38 proposed release plan. The board may schedule a hearing if they desire.  
39 The board may impose any condition they deem necessary to insure public  
40 safety, aid in the reintegration of the inmate into the community, or items  
41 not completed under the agreement entered into under K.S.A. 75-5210a,  
42 and amendments thereto. The board may not advance or delay an inmate's  
43 release date. Every inmate while on postrelease supervision shall remain in

1 the legal custody of the secretary of corrections and is subject to the orders  
2 of the secretary.

3 (j) (1) Before ordering the parole of any inmate, the prisoner review  
4 board shall have the inmate appear either in person or via a video  
5 conferencing format and shall interview the inmate unless impractical  
6 because of the inmate's physical or mental condition or absence from the  
7 institution. Every inmate while on parole shall remain in the legal custody  
8 of the secretary of corrections and is subject to the orders of the secretary.  
9 Whenever the board formally considers placing an inmate on parole and  
10 no agreement has been entered into with the inmate under K.S.A. 75-  
11 5210a, and amendments thereto, the board shall notify the inmate in  
12 writing of the reasons for not granting parole. If an agreement has been  
13 entered under K.S.A. 75-5210a, and amendments thereto, and the inmate  
14 has not satisfactorily completed the programs specified in the agreement,  
15 or any revision of such agreement, the board shall notify the inmate in  
16 writing of the specific programs the inmate must satisfactorily complete  
17 before parole will be granted. If parole is not granted only because of a  
18 failure to satisfactorily complete such programs, the board shall grant  
19 parole upon the secretary's certification that the inmate has successfully  
20 completed such programs. If an agreement has been entered under K.S.A.  
21 75-5210a, and amendments thereto, and the secretary of corrections has  
22 reported to the board in writing that the inmate has satisfactorily  
23 completed the programs required by such agreement, or any revision  
24 thereof, the board shall not require further program participation.  
25 However, if the board determines that other pertinent information  
26 regarding the inmate warrants the inmate's not being released on parole,  
27 the board shall state in writing the reasons for not granting the parole. If  
28 parole is denied for an inmate sentenced for a crime other than a class A or  
29 class B felony or an off-grid felony, the board shall hold another parole  
30 hearing for the inmate not later than one year after the denial unless the  
31 board finds that it is not reasonable to expect that parole would be granted  
32 at a hearing if held in the next three years or during the interim period of a  
33 deferral. In such case, the board may defer subsequent parole hearings for  
34 up to three years but any such deferral by the board shall require the board  
35 to state the basis for its findings. If parole is denied for an inmate  
36 sentenced for a class A or class B felony or an off-grid felony, the board  
37 shall hold another parole hearing for the inmate not later than three years  
38 after the denial unless the board finds that it is not reasonable to expect  
39 that parole would be granted at a hearing if held in the next 10 years or  
40 during the interim period of a deferral. In such case, the board may defer  
41 subsequent parole hearings for up to 10 years, but any such deferral shall  
42 require the board to state the basis for its findings.

43 (2) Inmates sentenced for a class A or class B felony who have not

1 had a board hearing in the five years prior to July 1, 2010, shall have such  
2 inmates' cases reviewed by the board on or before July 1, 2012. Such  
3 review shall begin with the inmates with the oldest deferral date and  
4 progress to the most recent. Such review shall be done utilizing existing  
5 resources unless the board determines that such resources are insufficient.  
6 If the board determines that such resources are insufficient, then the  
7 provisions of this paragraph are subject to appropriations therefor.

8 (k) (1) Parolees and persons on postrelease supervision shall be  
9 assigned, upon release, to the appropriate level of supervision pursuant to  
10 the criteria established by the secretary of corrections.

11 (2) Parolees and persons on postrelease supervision are, and shall  
12 agree in writing to be, subject to searches of the person and the person's  
13 effects, vehicle, residence and property by a parole officer or a department  
14 of corrections enforcement, apprehension and investigation officer, at any  
15 time of the day or night, with or without a search warrant and with or  
16 without cause. Nothing in this subsection shall be construed to authorize  
17 such officers to conduct arbitrary or capricious searches or searches for the  
18 sole purpose of harassment.

19 (3) Parolees and persons on postrelease supervision are, and shall  
20 agree in writing to be, subject to searches of the person and the person's  
21 effects, vehicle, residence and property by any law enforcement officer  
22 based on reasonable suspicion of the person violating conditions of parole  
23 or postrelease supervision or reasonable suspicion of criminal activity. Any  
24 law enforcement officer who conducts such a search shall submit a written  
25 report to the appropriate parole officer no later than the close of the next  
26 business day after such search. The written report shall include the facts  
27 leading to such search, the scope of such search and any findings resulting  
28 from such search.

29 (l) The prisoner review board shall promulgate rules and regulations  
30 in accordance with K.S.A. 77-415 et seq., and amendments thereto, not  
31 inconsistent with the law and as it may deem proper or necessary, with  
32 respect to the conduct of parole hearings, postrelease supervision reviews,  
33 revocation hearings, orders of restitution, reimbursement of expenditures  
34 by the state board of indigents' defense services and other conditions to be  
35 imposed upon parolees or releasees. Whenever an order for parole or  
36 postrelease supervision is issued it shall recite the conditions thereof.

37 (m) Whenever the prisoner review board orders the parole of an  
38 inmate or establishes conditions for an inmate placed on postrelease  
39 supervision, the board *shall require that the inmate:*

40 (1) ~~Unless it finds compelling circumstances that would render a plan~~  
41 ~~of payment unworkable, shall order as a condition of parole or postrelease~~  
42 ~~supervision that the parolee or the person on postrelease supervision pay~~  
43 ~~any transportation expenses resulting from returning the parolee or the~~



1 person on postrelease supervision to this state to answer criminal charges  
2 or a warrant for a violation of a condition of probation, assignment to a  
3 community correctional services program, parole, conditional release or  
4 postrelease supervision;

5 (2) to the extent practicable, shall order as a condition of parole or  
6 postrelease supervision that the parolee or the person on postrelease  
7 supervision make progress towards or successfully complete the  
8 equivalent of a secondary education if the inmate has not previously  
9 completed such educational equivalent and is capable of doing so;

10 (3) may order that the parolee or person on postrelease supervision  
11 perform community or public service work for local governmental  
12 agencies, private corporations organized not for profit or charitable or  
13 social service organizations performing services for the community; *Obey*  
14 *all laws and ordinances and report any law enforcement contact to the*  
15 *inmate's supervision officer within 24 hours after such contact;*

16 (2) *not engage in physical violence or threats of violence of any kind*  
17 *and, if the inmate is being supervised for conviction of a felony, not*  
18 *purchase or possess a dangerous weapon, including a firearm, while on*  
19 *supervision;*

20 (3) *report to the inmate's supervision officer as directed and be*  
21 *truthful in all matters;*

22 (4) *remain within the state of Kansas or other specified areas as*  
23 *defined by the defendant's supervision officer;*

24 (5) *reside at the inmate's approved residence unless the defendant*  
25 *receives permission from the inmate's supervision officer to relocate and*  
26 *notify the inmate's supervision officer within 24 hours after any emergency*  
27 *changes in residence or contact information;*

28 (6) *not possess, use or distribute any controlled substances except*  
29 *those prescribed by a licensed medical professional;*

30 (7) *not possess or consume any form of alcohol or intoxicating*  
31 *substance or enter any establishment where alcohol is sold or consumed*  
32 *as the primary business;*

33 (8) *submit to any form of alcohol or substance use testing directed by*  
34 *the inmate's supervision officer and not alter or tamper with the specimen*  
35 *or test;*

36 (9) *participate in assessment, treatment, programming and other*  
37 *directives of the court or the inmate's supervision officer;*

38 ~~(10) submit to searches of the inmate's person, effects, vehicle,~~  
39 ~~residence or property by the inmate's supervision officer or any law~~  
40 ~~enforcement officer based on reasonable suspicion that the inmate~~  
41 ~~violated conditions of supervision or engaged in criminal activity;~~

42 (11) *refrain from contacting victims unless authorized by the court to*  
43 *contact a victim as part of rehabilitative or therapeutic purposes;*

and the person's

a parole

a department of corrections enforcement, apprehension and investigation officer, at any time of the day or night, with or without a search warrant and with or without cause except that nothing in this paragraph shall be construed to authorize such officers to conduct arbitrary or capricious searches or searches for the sole purpose of harassment; (11) submit to searches of the person and the person's effects, vehicle, residence and property by any law enforcement officer based on reasonable suspicion of the person violating conditions of parole or postrelease supervision or reasonable suspicion of criminal activity;

and

Redesignate paragraphs

board

1       ~~(4)(12)~~ may order the parolee or person on postrelease supervision to  
2 pay the administrative fee imposed pursuant to K.S.A. 22-4529, and  
3 amendments thereto, unless the board finds compelling circumstances that  
4 would render payment unworkable; *and*

5       ~~(5)(13)~~ unless ~~it~~ *the board* finds compelling circumstances that would  
6 render a plan of payment unworkable, ~~shall order that the parolee or~~  
7 ~~person on postrelease supervision~~ reimburse the state for all or part of the  
8 expenditures by the state board of indigents' defense services to provide  
9 counsel and other defense services to the person. In determining the  
10 amount and method of payment of such sum, the prisoner review board  
11 shall take account of the financial resources of the person and the nature of  
12 the burden that the payment of such sum will impose. Such amount shall  
13 not exceed the amount claimed by appointed counsel on the payment  
14 voucher for indigents' defense services or the amount prescribed by the  
15 board of indigents' defense services reimbursement tables as provided in  
16 K.S.A. 22-4522, and amendments thereto, whichever is less, minus any  
17 previous payments for such services;

18       ~~(6)~~ shall order that the parolee or person on postrelease supervision  
19 agree in writing to be subject to searches of the person and the person's  
20 effects, vehicle, residence and property by a parole officer or a department  
21 of corrections enforcement, apprehension and investigation officer, at any  
22 time of the day or night, with or without a search warrant and with or  
23 without cause. Nothing in this subsection shall be construed to authorize  
24 such officers to conduct arbitrary or capricious searches or searches for the  
25 sole purpose of harassment; and

26       ~~(7)~~ shall order that the parolee or person on postrelease supervision  
27 agree in writing to be subject to searches of the person and the person's  
28 effects, vehicle, residence and property by any law enforcement officer  
29 based on reasonable suspicion of the person violating conditions of parole  
30 or postrelease supervision or reasonable suspicion of criminal activity.

31       ~~(n)~~ *The office of judicial administration and the department of*  
32 *corrections shall collaborate to develop documentation related to*  
33 *conditions of supervision.*

34       ~~(o)~~ If the court that sentenced an inmate specified at the time of  
35 sentencing the amount and the recipient of any restitution ordered as a  
36 condition of parole or postrelease supervision, the prisoner review board  
37 shall order as a condition of parole or postrelease supervision that the  
38 inmate pay restitution in the amount and manner provided in the journal  
39 entry unless the board finds compelling circumstances that would render a  
40 plan of restitution unworkable.

41       ~~(p)~~ Whenever the prisoner review board grants the parole of an  
42 inmate, the board, within 14 days of the date of the decision to grant  
43 parole, shall give written notice of the decision to the county or district

Any law enforcement officer who conducts a search pursuant to subsection (m)(11) shall submit a written report to the inmate's parole officer not later than the close of business the next day after such search is conducted. The written report shall include the facts leading to such search, the scope of such search and any findings resulting from such search.  
(o)

Redesignate subsections

- 1 attorney of the county where the inmate was sentenced.
- 2 ~~(p)~~(q) When an inmate is to be released on postrelease supervision,  
3 the secretary, within 30 days prior to release, shall provide the county or  
4 district attorney of the county where the inmate was sentenced written  
5 notice of the release date.
- 6 ~~(q)~~(r) Inmates shall be released on postrelease supervision upon the  
7 termination of the prison portion of their sentence. Time served while on  
8 postrelease supervision will vest.
- 9 ~~(r)~~(s) An inmate who is allocated regular good time credits as  
10 provided in K.S.A. 22-3725, and amendments thereto, may receive  
11 meritorious good time credits in increments of not more than 90 days per  
12 meritorious act. These credits may be awarded by the secretary of  
13 corrections when an inmate has acted in a heroic or outstanding manner in  
14 coming to the assistance of another person in a life-threatening situation,  
15 preventing injury or death to a person, preventing the destruction of  
16 property or taking actions that result in a financial savings to the state.
- 17 ~~(s)~~(t) The provisions of subsections (d)(1)(A), (d)(1)(B), (d)(1)(C)  
18 and (d)(1)(E) shall be applied retroactively as provided in subsection~~(t)~~  
19 (u).
- 20 ~~(t)~~(u) For offenders sentenced prior to July 1, 2014, who are eligible  
21 for modification of their postrelease supervision obligation, the department  
22 of corrections shall modify the period of postrelease supervision as  
23 provided for by this section:
- 24 (1) On or before September 1, 2013, for offenders convicted of:
- 25 (A) Severity levels 9 and 10 crimes on the sentencing guidelines grid  
26 for nondrug crimes;
- 27 (B) severity level 4 crimes on the sentencing guidelines grid for drug  
28 crimes committed prior to July 1, 2012; and
- 29 (C) severity level 5 crimes on the sentencing guidelines grid for drug  
30 crimes committed on and after July 1, 2012;
- 31 (2) on or before November 1, 2013, for offenders convicted of:
- 32 (A) Severity levels 6, 7 and 8 crimes on the sentencing guidelines  
33 grid for nondrug crimes;
- 34 (B) level 3 crimes on the sentencing guidelines grid for drug crimes  
35 committed prior to July 1, 2012; and
- 36 (C) level 4 crimes on the sentencing guidelines grid for drug crimes  
37 committed on or after July 1, 2012; and
- 38 (3) on or before January 1, 2014, for offenders convicted of:
- 39 (A) Severity levels 1, 2, 3, 4 and 5 crimes on the sentencing  
40 guidelines grid for nondrug crimes;
- 41 (B) severity levels 1 and 2 crimes on the sentencing guidelines grid  
42 for drug crimes committed at any time; and
- 43 (C) severity level 3 crimes on the sentencing guidelines grid for drug

1 crimes committed on or after July 1, 2012.

2 ~~(t)~~(v) An inmate sentenced to imprisonment pursuant to K.S.A. 21-  
3 4643, prior to its repeal, or K.S.A. 21-6627, and amendments thereto, for  
4 crimes committed on or after July 1, 2006, shall be placed on parole for  
5 life and shall not be discharged from supervision by the prisoner review  
6 board. When the board orders the parole of an inmate pursuant to this  
7 subsection, the board shall order as a condition of parole that the inmate be  
8 electronically monitored for the duration of the inmate's natural life.

9 ~~(v)~~(w) Whenever the prisoner review board orders a person to be  
10 electronically monitored pursuant to this section, or the court orders a  
11 person to be electronically monitored pursuant to K.S.A. 21-6604(r), and  
12 amendments thereto, the board shall order the person to reimburse the state  
13 for all or part of the cost of such monitoring. In determining the amount  
14 and method of payment of such sum, the board shall take account of the  
15 financial resources of the person and the nature of the burden that the  
16 payment of such sum will impose.

17 ~~(w)~~(x) (1) On and after July 1, 2012, for any inmate who is a sex  
18 offender, as defined in K.S.A. 22-4902, and amendments thereto,  
19 whenever the prisoner review board orders the parole of such inmate or  
20 establishes conditions for such inmate placed on postrelease supervision,  
21 such inmate shall agree in writing to not possess pornographic materials.

22 (A) As used in this subsection, "pornographic materials" means any  
23 obscene material or performance depicting sexual conduct, sexual contact  
24 or a sexual performance; and any visual depiction of sexually explicit  
25 conduct.

26 (B) As used in this subsection, all other terms have the meanings  
27 provided by K.S.A. 21-5510, and amendments thereto.

28 (2) The provisions of this subsection shall be applied retroactively to  
29 every sex offender, as defined in K.S.A. 22-4902, and amendments  
30 thereto, who is on parole or postrelease supervision on July 1, 2012. The  
31 prisoner review board shall obtain the written agreement required by this  
32 subsection from such offenders as soon as practicable.

33 Sec. 4. K.S.A. 21-6607, 22-2907 and 22-3717 are hereby repealed.

34 Sec. 5. This act shall take effect and be in force from and after its  
35 publication in the statute book.