

HOUSE BILL No. 2819

By Committee on Appropriations

2-3

9 AN ACT concerning corrections; relating to time limits for transfer of
10 certain offenders to reception and diagnostic unit; amending K.S.A.
11 2005 Supp. 75-5220 and repealing the existing section.
12

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

14 Section 1. K.S.A. 2005 Supp. 75-5220 is hereby amended to read as
15 follows: 75-5220. (a) Except as provided in subsection (d), within three
16 *business* days of receipt of the notice provided for in K.S.A. 75-5218 and
17 amendments thereto, the secretary of corrections shall notify the sheriff
18 having such offender in custody to convey such offender immediately to
19 the department of corrections reception and diagnostic unit or if space is
20 not available at such facility, then to some other state correctional insti-
21 tution until space at the facility is available, except that, in the case of
22 first offenders who are conveyed to a state correctional institution other
23 than the reception and diagnostic unit, such offenders shall be segregated
24 from the inmates of such correctional institution who are not being held
25 in custody at such institution pending transfer to the reception and di-
26 agnostic unit when space is available therein. The expenses of any such
27 conveyance shall be charged against and paid out of the general fund of
28 the county whose sheriff conveys the offender to the institution as pro-
29 vided in this subsection.

30 (b) Any female offender sentenced according to the provisions of
31 K.S.A. 75-5229 and amendments thereto shall be conveyed by the sheriff
32 having such offender in custody directly to a correctional institution des-
33 ignated by the secretary of corrections, subject to the provisions of K.S.A.
34 75-52,134 and amendments thereto. The expenses of such conveyance to
35 the designated institution shall be charged against and paid out of the
36 general fund of the county whose sheriff conveys such female offender
37 to such institution.

38 (c) Each offender conveyed to a state correctional institution pursu-
39 ant to this section shall be accompanied by the record of the offender's
40 trial and conviction as prepared by the clerk of the district court in ac-
41 cordance with K.S.A. 75-5218 and amendments thereto.

42 (d) If the offender in the custody of the secretary is a juvenile, as
43 described in K.S.A. 38-16,111, and amendments thereto, such juvenile

1 shall not be transferred to the state reception and diagnostic center until
2 such time as such juvenile is to be transferred from a juvenile correctional
3 facility to a department of corrections institution or facility.

4 Sec. 2. K.S.A. 2005 Supp. 75-5220 is hereby repealed.

5 Sec. 3. This act shall take effect and be in force from and after its
6 publication in the statute book.