

HOUSE JUDICIARY COMMITTEE MEMBERS 1994 SESSION

Representative Michael R. O'Neal --- Chairman

Representative Tim Carmody ----- Vice-Chairman

Representative Jim Garner --- Ranking Minority Member

Representative David Adkins

Representative Tom Bradley

Representative Denise Everhart

Representative Greta Goodwin

Representative David Heinemann

Representative Judith Macy

Representative Carlos Mayans

Representative Doug Mays

Representative Janice Pauls

Representative Blaise Plummer

Representative Thomas Robinett

Representative Rand Rock
(From 1/11 /94 - 2/25/94)

Representative Candy Ruff

Representative Joe Shriver
(From 3/3/94 thru end)

Representative Don Smith

Representative Alex Scott

Representative Joan Wagnon

Representative Elaine Wells

STAFF

Jerry Donaldson --- Legislative Research

Jill Wolters ----- Revisor of Statutes

Cindy Wulfkuhle --- Committee Secretary

HOUSE JUDICIARY COMMITTEE ATTENDANCE

Subcommittee Meetings ✓ - No minutes

X = present

X = present
E = excused A = absent

[illegible]

HOUSE JUDICIARY COMMITTEE ATTENDANCE

X = present

E = excused A = absent

[illegible]

HOUSE JUDICIARY
COMMITTEE ACTION INDEX
HOUSE BILLS

<u>BILL #</u>	<u>SUBJECT</u>	<u>HEARING DATE</u>	<u>ACTION DATE</u>
HB 2001	Unlawful deprivation of property	No	No
HB 2017	Failure to display license plates	No	No
HB 2061	Creating the crime of carjacking	No	No
HB 2094	Disclosure of information	No	No
HB 2112	Crime of Carjacking	2/2/93	No
HB 2137	Assignment of compensation	No	No
HB 2147	Amendments to the Kansas act against discrimination	No	No
HB 2167	Civil procedure for limited actions include chapter 60 sanctions for filing frivolous claims	2/8/93	2/8/93 Motion to report failed
HB 2184	Contempt in child support enforcement proceedings, court may restrict driving privileges	No	No
HB 2202	Liability of students publishing student publications	No	No
HB 2204	Excepting violators of municipal curfews and cigarette prohibitions from code for care of children	No	No
HB 2205	Orders directing parents of child in need of care or juvenile offenders to attend treatment or receive services	No	No
HB 2222	Kansas equine activity liability act	2/16/93	No
Sub HB 2222	Kansas equine activity liability act		3/3 BP
HB 2231	Jury lists prepared from all four sources	No	No
HB 2234	Allowing information to judge, in camera, about patients when it is for the purpose of prosecuting peronnel on a felony charge	No	No
HB 2236	Refines definition of equity skimming	No	No
HB 2261	Forfeiture of property involved in prostitution	No	No
HB 2314	Limiting the liability of public school teachers	2/16/93	No
HB 2317	Hearsay evidence in agency action	No	No
HB 2328	Plea or verdict of guilty but mentally ill	2/9	No
Sub HB 2328	Doing away with insanity defense		3/3 BP
HB 2331	Prosecute as adults persons 16 years or more	2/16/93	No
HB 2335	Defense of self and property; immune from liability if use reasonable force	No	No
HB 2357	Abortion counseling and limitations on performing abortions	No	No
HB 2358	Prohibiting saline abortions	No	No
HB 2359	Enacting the Kansas medical support act	No	No
HB 2377	Court trustee in each judicial district; enforcement of support, visitation and custody (Sub. 2013)	No	No
HB 2388	Requiring instruction for divorcing parents of minor children about effect of divorce on young children	No	No

<u>BILL #</u>	<u>SUBJECT</u>	<u>HEARING DATE</u>	<u>ACTION DATE</u>
HB 2409	Services rendered under the state medical	2/15/93	No
HB 2423	Kansas standard asset seizure and forfeiture act	2/17/93	3/16 BPA
Sub HB 2430	Probate; elective share of surviving spouse	* 1/19, 1/24, 1/25 (Sub Committee)	2/7 BP
HB 2441	Juvenile offenders code, authorized disposition	No	No
HB 2447	Certain advertising and sales promotions violations of consumer protection act	1/25	1/25 Reported Adversely
HB 2473	Exempting personal injury funds from bankruptcy	2/22/93 * (Sub Committee)	2/25/93 Tabled
HB 2474	Hospital lien on personal injury awards	2/23/93 * (Sub Committee)	3/1/93 Tabled
HB 2476	Creating a victim and witness protection review board	No	No
HB 2477	Business entities; annual reports and franchise fees	2/22/93 * (Sub Committee)	2/25/93 Tabled
HB 2478	Establishment of criminal justice coordinating council	No	No
HB 2487	Appeals from municipal courts	3/9/93	3/23/93 Amended into SB 21
Sub. HB 2490	Anatomical Gift Act	1/12	1/13 BPA
HB 2500	Americans with Disabilities Act update to accessibility standards.	2/23/93 * (Sub Committee)	2/26/93 BPA 3/3/93 Re-Referred
HB 2503	Requiring certain employers to report newly hired employees	2/23/93 * (Sub Committee)	No
HB 2508	Unsolicited fax transmissions	No	No
HB 2518	Offenses involving vehicles	2/26/93	2/26/93 No interest in amending it into the DUI package
HB 2551	Recovery of damages suffered as a result of childhood sexual abuse may be commenced at anytime	No	No
HB 2579	Driving privileges related to alcohol or drug related convictions	1/12	1/13 BPA
HB 2582	Enacting the families in the court partnership act;	* 1/19, 1/24 (Sub Committee)	3/15 NAT
HB 2583	Establishment of parentage and child support	* 1/19 (Sub Committee)	2/25 BPA
HB 2599	Amending who can withdraw blood in a DUI test	2/8	2/14 BPA
HB 2604	Treatment of diversion agreements for disciplinary actions under uniform controlled substances act	2/8	2/25 Tabled
HB 2608	Expungement of arrest records	No	No
HB 2609	Amendment to the protection from abuse act	No	3/17 Amended into SB 530
HB 2610	Trading stamp act inapplicable to cigarette manufacturer coupons.	No	No
HB 2611	Telephone solicitors for charitable organizations required to disclose percentage of contributions such solicitor retains.	No	No
HB 2612	Prohibiting certain prize notification contests.	1/25	2/7 BPA
HB 2643	Civil procedure, photographic copies.	1/25	2/7 Reported Adversely

* NO SUBCOMMITTEE MINUTES

<u>BILL #</u>	<u>SUBJECT</u>	<u>HEARING DATE</u>	<u>ACTION DATE</u>
HB 2660	Parole and probation officers shall notify employers if employee committed a person felony.	1/26	2/25 BPA
HB 2661	Amendments to the habitual sexual offender registration act.	1/26	2/25 BPA
HB 2663	Possession of handguns by juveniles; revocation of driver's license.	No	No
HB 2668	Battery against a youth center employee	1/27	No
HB 2669	Revocating juveniles driver's license when they commit certain offenses	1/27	No
HB 2670	Certain records of juveniles open for public inspection.	1/27	No
HB 2671	Organized criminal activity act.	2/1	No
HB 2672	Notification to local law enforcement agencies and school districts of juvenile offenders being released.	1/27	No
HB 2673	Voiding leases on property that is a common nuisance.	2/1	3/22 Amended into SB 517
HB 2677	Records of marriage licenses.	2/8	2/14 BP
HB 2678	Copies to prove content of business and public records.	1/25	2/7 BP/CC
HB 2685	Prohibiting juveniles from possessing handguns; creating the juvenile offender surcharge fund.	No	No
HB 2690	Statute of limitations on criminal prosecution of childhood sexual abuse.	2/1 & 2/17	2/24 BPA
HB 2697	Service of process, time limits.	2/8	2/14 BPA
HB 2707	Creating the Kansas youth authority; establishing a youth commissioner and a state department of youth to be responsible for juvenile offenders.	2/4	3/21 Amended into SB 794
HB 2708	Criminal possessions of a firearm by a juvenile; penalties	No	No
HB 2751	Cruelty to animals; additional possible penalty of prohibition of possession of animals.	No	No
HB 2761	Identity of victims of sex offense not public record	2/16	2/25 BP
HB 2764	Increase imprisonment time on nondrug sentencing grid	No	No
HB 2765	Inapplicability of the residential landlord tenant act.	No	No
HB 2771	Mortuary arts, penalties	No	2/24 BPA Amended into SB 551
HB 2777	Notice to parent or custodian when child taken into custody under code for care of children.	No	No
HB 2779	The court cannot issue a contempt citation against a person who reports that a gag order has been issued.	2/16	2/25 BPA
Sub HB 2785	Civil liability for serving minors alcoholic beverages.	2/15	3/3 BP
HB 2788	Person commits three felonies, person in prison for life. Three strikes your out.	2/2	2/25 BPA
HB 2813	Qualifications of judges pro tem,	* 2/22 (Sub Committee)	2/24 BNP
HB 2822	Penalty for driving while license suspended.	Amended into HB 2579 on the House floor	
HB 2832	Inmates filing civil actions; parole board denials.	2/16	2/25 BPA

* NO SUBCOMMITTEE MINUTES

<u>BILL #</u>	<u>SUBJECT</u>	<u>HEARING DATE</u>	<u>ACTION DATE</u>
HB 2848	Allowing a declaration executed pursuant to the natural death act to be signed in the presence of a notary public.	No	No
HB 2849	Civil commitment of persons who commit sexually violent offenses.	* 2/22 (Sub Committee)	No
HB 2852	Foreign adoption; birth certificates.	* 2/22 (Sub Committee)	2/24 BP
HB 2858	Increased penalties for manufacturing controlled substances.	* 2/21 (Sub Committee)	2/24 BP
HB 2859	Aggravated false impersonation.	No	No
HB 2860	Defines qualified surety for criminal procedure purposes.	No	No
HB 2861	Prosecutors not allowed to plea bargain for prosecution of first degree and second degree murder.	No	No
HB 2862	Judicial district may change method of selecting judges every two years.	No	No
HB 2868	Public office responsible for enforcement of support allowed to obtain information from public utilities for enforcement purposes.	* 2/22 (Sub Committee)	2/24 NAT
HB 2869	Public office responsible for enforcement of support allowed to obtain information from financial institution for support enforcement purposes.	* 2/22 (Sub Committee)	2/24 NAT
HB 2870	Lifetime prohibition against possessing weapons for certain felons.	* 2/21 (Sub Committee)	2/24 BPA Amended into SB 551
HB 2871	Garnishment proceedings against insurance companies; public offices not required to pay fee.	* 2/22 (Sub Committee)	2/24 NAT
HB 2872	Contempt of court, judge may sentence to restrict driving privileges if in contempt because of child support enforcement proceedings; service of contempt if violate child or spousal support agreement.	No	No
HB 2877	Restitution ordered by the court against a juvenile offender shall become a judgment against the juvenile offender.	No	No
HB 2879	Relating to the placement and records of juvenile offenders; establishing a juvenile offender maximum security facility.	No	No
HB 2883	Sentencing for a repeat offender.	No	No
HB 2884	Adoption; consent; best interests of the child.	* 2/22 (Sub Committee)	2/24 BPA Recommended Interim study on adoption issue
HB 2885	Child in need of care code changes; relating to temporary custody orders for informal supervision and reintegration plan.		3/17 Amended into SB 452
HB 2887	Guardians allowed to consent on behalf of ward to withholding lifesaving medical procedures.	No	No
HB 2893	Allowing assistant district attorneys and assistant county attorneys to conduct inquisitions.	* 2/21 (Sub Committee)	2/24 BPA Amended into SB 551
HB 2894	Adoption proceedings; what support includes.	* 2/22 (Sub Committee)	No
HB 2895	Mandatory jail time for nonsupport of child or spouse; mandatory educational workshop.	No	No

* NO SUBCOMMITTEE MINUTES

<u>BILL #</u>	<u>SUBJECT</u>	<u>HEARING DATE</u>	<u>ACTION DATE</u>
HB 2896	Fault concept in divorce.	No	No
HB 2897	Off-grid felonies sentenced to death by imprisonment	No	No
HB 2903	License plates for DUI violators.	* 2/21 (Sub Committee)	No
HB 2904	Grants for juvenile community corrections	No	No
HB 2905	Commit three certain type felonies, you are in jail for life.	No	No
HB 2907	Cost of incarceration reimbursed to county and state, judgments.	No	No
HB 2910	Theft of stolen firearm, severity level 8, nonperson felony.	No	No
HB 2911	Life imprisonment sentence for persistent offenders; defined as 3 previous felonies, offgrid and severity levels 1 through 5.	No	No
HB 2912	Mandatory jail time for assault, battery and battery against a law enforcement officer; mandatory anger management counseling.	* 2/22 (Sub Committee)	No
HB 2914	Uniform interstate family support act.	* 2/22 (Sub Committee)	2/23 BPA
HB 2915	Immunity from liability for volunteer engineering services.	No	No
HB 2920	Knowingly infecting someone with a life threatening communicable disease is a severity level 1, person felony.	No	No
HB 2921	KAPA; hearings; hearsay evidence.	No	No
HB 2925	Creating a mentor program for juveniles.	No	3/21 Amended into SB 657
HB 2932	Collateral sources in certain actions for damages.	No	No
HB 2942	Concealed weapon exception for retired law enforcement officers.	No	No
HB 2943	Establishing a district attorney's office in Cowley, Reno and Saline counties.	* 2/22 (Sub Committee)	No
HB 2946	Increased penalty for person who possesses firearm while selling controlled substances.	* 2/21 (Sub Committee)	No
HB 2947	Increase docket fees by \$1 to fund county drug abuse resistance education programs.	No	No
HB 2949	Hard 40 applies to juvenile prosecuted as adults	No	No
HB 2950	Hard forty sentence applies to second offense of murder	No	No
HB 2961	Developing a uniform data base of offender information.	No	No
HB 2980	Identification of informer, includes crime stopper chapter	2/14	2/24 BPA
HB 2981	Court fees and fines paid by credit card.	2/14	2/14 BPA
HB 2990	Repealing statute requiring service of process upon the secretary of state.	* 2/21 (Sub Committee)	2/24 BP
HB 2991	Contractors and subcontractors liens.	No	No

* NO SUBCOMMITTEE MINUTES

<u>BILL #</u>	<u>SUBJECT</u>	<u>HEARING DATE</u>	<u>ACTION DATE</u>
HB 2992	Reduced period of redemption for real estate under foreclosure.	* 2/21 (Sub Committee)	2/24 BP
HB 2993	Qualified domestic relations orders apply to KPERS pension plans.	* 2/21 (Sub Committee)	2/24 BP
HB 3000	Divorce proceedings; all parties allowed to see investigative reports concerning child custody.	No	No
HB 3001	Divorce proceedings; child custody; material change in circumstance.	No	No
HB 3002	Further elements of best interests of a child in divorce proceeding.	No	No
HB 3003	Interference with parental custody, expanded to include interference with visitation rights.	No	No
HB 3019	Violation of a condition of appearance bond becomes an element of criminal trespass.	No	No
HB 3021	Uniform statute and rule and regulation construction act	No	No
HB 3035	Family violence taken into account in child custody and visitation proceedings.	No	No
HB 3036	Expenses constitute a judgment; warrant for juvenile offender.	No	No
HB 3037	Hearing for probate; uncontested consent.	* 2/21 (Sub Committee)	2/24 Tabled Referred to Judicial Council
HB 3038	Court costs include the cost of examination and evidence collection kit of sexual assault victims.	* 2/22 (Sub Committee)	2/24 BP Amended into SB 551
HB 3040	If fatality occurs, officer has probable cause to believe person driving under the influence.	* 2/22 (Sub Committee)	2/24 BPA
HB 3043	Demands against the probate estate.	* 2/21 (Sub Committee)	No
HB 3050	Civil procedure; garnishment	No	No
HB 3057	Penalties for animal cruelty; disposition of animals seized; licensure and regulation of pounds and animal shelters.	No	No
HB 3074	Criminal sentencing; under certain situations court shall consider placement of defendant in the Labette correctional conservation camp.	No	No
HCR 5012	Constitutional amendment limiting the number of terms for which a justice of the supreme court may be elected	No	No
HCR 5013	Constitutional amendment limiting the number of terms for which a judge of the district court may be elected or appointed	No	No
HCR 5033	Elect district court judges	No	No
HCR 5040	Amendment to bill of rights regarding parents' right to rear children.	3/9	3/22 BPA

House Bills & Concurrent Resolutions in Committee - 148
 Carry Over Bills from '92 - 44
 Hearings - 73
 Action taken - 57

* NO SUBCOMMITTEE MINUTES

HOUSE JUDICIARY
COMMITTEE ACTION INDEX
SENATE BILLS

<u>BILL #</u>	<u>SUBJECT</u>	<u>HEARING DATE</u>	<u>ACTION DATE</u>
SB 293	Private property rights protection	3/22/93	No
Sub SB 293	Private property rights protection		3/22 BP
SB 338	Court-appointed special advocates for juvenile offenders	3/18/93	3/22/93 Tabled
SB 339	Court-appointed special advocates for children in divorce cases	3/18/93	3/33/93 Tabled
SB 363	Attorney fees in actions relating to fire damages caused by railroads.	* 3/15 (Sub Committee)	3/17 BP
SB 400	Out-of-home placement of juvenile offenders in SRS custody; findings required.	3/10	3/22 Referred to Appropriations
SB 452	Child support, medical support orders, coverage under health benefit plans.	* 3/14 (Sub Committee)	3/17 BPA Amended in HB 2885
SB 464	Enforcement of support; income withholding.	3/8	No
SB 465	Transfers of property to SRS when decedent's estate has value of less than \$10,000.	* 3/14 (Sub Committee)	3/17 BP
SB 477	Civil procedure for limited actions, Form No. 16.	3/8	No
SB 500	Creating the crime of criminal possession of a firearm by a juvenile	3/7	3/21 BPA Amended in SB 661
SB 501	Require presence of parent or guardian at juvenile offender proceedings.	3/7	3/21 Amended into SB 657
SB 502	Records of certain juvenile offenders to be open for public inspection.	3/7	3/21 Amended into SB 657
SB 513	Prosecuting 16 and 17 year olds as adult for person felonies and misdemeanors.	3/7	3/22 Tabled
SB 517	Law enforcement officers may issue notice to appear citations to persons violating criminal hunting statute.	3/10	3/22 BPA Amended in HB 2673
SB 525	Civil commitment of persons who commit sexually violent offenses.	* 3/14 (Sub Committee)	3/21 BPA
SB 530	Garnishment; orders for child support.	* 3/14 (Sub Committee)	3/17 BPA Amended in HB 2609
SB 551	Criminal code conflict reconciliation.	2/24	2/24 Amended into SB 552
SB 551	Amended in HB 2771, 2870, 2893, 3038 & 3040		2/24 BP
SB 552	Violations of parole, probation or conditional release for persons who committed murder in the first degree and treason prior to July 1, 1993 shall not result in conversion to determinate sentence.	* 2/22 (Sub Committee)	2/24 BPA Amended in SB 551
SB 564	Authorizing recovery of collection costs including attorney fees in consumer credit transactions.	3/8	3/22 BPA
SB 580	Annual reports for certain business organizations.	3/8	3/22 Amended into SB 581
Sub SB 580	Amended in SB 369 - Enacting the Kansas fictitious name act	No	3/22 BP

* NO SUBCOMMITTEE MINUTES

<u>BILL #</u>	<u>SUBJECT</u>	<u>HEARING DATE</u>	<u>ACTION DATE</u>
SB 581	Articles of organization of limited liability companies, articles of incorporation of corporations and annual reports of domestic cooperative associations.	3/8	3/22 BPA Amended in SB 580
SB 582	Limited liability partnerships.	3/15 * (Sub Committee)	3/17 BPA
SB 595	Increasing maximum amount of claim in small claims court.	3/15 * (Sub Committee)	3/17 BPA
SB 603	Creating the crime of employment or usage of minors in criminal violations.	3/7	No
SB 605	Immunity from liability for architects and engineers in certain circumstances.	* 3/15 (Sub Committee)	3/17 BP
SB 607	Increasing penalties for stalking.	* 3/14 (Sub Committee)	3/21 BPA
SB 608	Sub for SB 608 by Committee on Judiciary - Sentencing for persons who commit any felony for a criminal street gang.	* 3/14 (Sub Committee)	3/21 BPA
SB 617	Criminal discharge of a firearm at an unoccupied dwelling to be classified as a person felony.	3/10	No
SB 618	Creating crimes of failure to register an aircraft, fraudulent registration of an aircraft and fraudulent acts relating to aircraft identification numbers.	3/10	No
SB 629	Increase in court docket fees for deposit in law enforcement training center fund.	* 3/15 (Sub Committee)	3/21 BPA
SB 656	Battery against a youth center employee.	* 3/14 (Sub Committee)	3/21 BP
SB 657	Notification to local law enforcement agencies and school districts of juvenile offenders being released.	* 3/15 (Sub Committee)	3/21 BPA Amended in HB 2925, SB 501 & SB 502
SB 661	Revocation of driving privileges for persons convicted of crimes and persons adjudicated as juvenile offenders.	* 3/15 (Sub Committee)	3/21 Amended into SB 500
SB 663	Court-appointed special advocates for juvenile offenders	3/10	No
SB 670	Crimes and punishment related to arson and aggravated arson.	* 3/14 (Sub Committee)	3/21 NAT
SB 671	Certain crimes relating to explosives.	* 3/14 (Sub Committee)	No
SB 691	Small claims procedure, venue.	* 3/15 (Sub Committee)	3/17 BP
SB 701	Mandatory term of imprisonment of 40 years imposed by court for certain offenders.	No	No
SB 741	Evaluations of and notice to guardians and conservators by psychologists.	3/8	3/22 BPA
SB 742	Jurisdiction of certain law enforcement officers to execute a valid search warrant.	* 3/15 (Sub Committee)	3/21 BPA
SB 743	Allowing county or district attorney to collect administrative handling cost from maker or drawer of bad checks.	* 3/15 (Sub Committee)	3/21 BPA
SB 751	Liability of settling parties in action brought by KPERS	No	No
SB 755	Limitation of actions brought by or on behalf of Dalkon Shield victims.	No	No

* NO SUBCOMMITTEE MINUTES

<u>BILL #</u>	<u>SUBJECT</u>	<u>HEARING DATE</u>	<u>ACTION DATE</u>
SB 762	Liability of officers and directors of certain financial institutions.	* 3/15 (Sub Committee)	3/17 BPA
SB 763	Restricting mandatory fingerprinting for municipal ordinance violations comparable to misdemeanors to postconviction cases.	3/10	3/21 BPA
SB 790	Registration fees of attorneys in certain counties.	* 3/15 (Sub Committee)	3/22 BPA
SB 794	Administration of and expenditures from the juvenile detention facilities fund.	* 3/15 (Sub Committee)	3/21 BPA Amended in HB 2707
SB 804	Contracts with public and private entities by secretary of social and rehabilitation services for support enforcement services.	* 3/14 (Sub Committee)	3/17 BNP
SB 807	Family violence prevention programs.	* 3/14 (Sub Committee)	3/17 BPA
SB 820	Moneys credited to crime victims compensation fund.	No	No

Senate Bills in Committee - 51
 Carry Over Bills from '92 - 3
 Hearings - 46
 Action taken - 42

* NO SUBCOMMITTEE MINUTES