

SESSION OF 2009

SUPPLEMENTAL NOTE ON SENATE BILL NO. 66

As Amended by House Committee on
Judiciary

Brief*

SB 66 would amend current law on the transmittal of documents when venue is changed in care and treatment cases for mentally ill persons and in care and treatment cases for persons with an alcohol or substance abuse problem. The bill would authorize the district court issuing the order to change venue to:

- Send an electronic copy of the entire file of the case to the receiving district court;
- Send an electronic copy of the order transferring venue to the treatment facility where the patient is being detained, evaluated, or treated; or
- Send a facsimile or electronic copy of the entire case file to the proposed patient's county of residence, if the county of residence is not the receiving county.

The bill also would authorize the receiving district court to send a facsimile or electronic copy of the entire case file to the proposed patient's county of residence, if the county of residence is not the receiving district court.

In addition, the transferring district court could send an entire original file by mail to the receiving district court, upon request of the receiving district court or upon an order of the court transferring venue.

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

Background

The proponent of the bill who presented testimony in the Senate Committee hearing was Sandy McCurdy, Clerk of the Johnson County District Court.

There was no testimony in opposition to the bill.

The House Judiciary Committee amended the bill by inserting the provision which would allow the original file to be sent by mail.

The fiscal note indicated the passage of the bill would result in a workload decrease for district court clerks who regularly deal with change of venue in care and treatment cases. This would allow clerks to reallocate their time. A precise fiscal effect on the Judicial Branch cannot be determined.