

SESSION OF 2010

**CONFERENCE COMMITTEE REPORT BRIEF
HOUSE BILL NO. 2039**

As Agreed to March 30, 2010

Brief*

Sub. for HB 2039 would amend current law to clarify that when there is no sheriff or undersheriff, the county clerk will assume the duties and powers of the office of sheriff until a sheriff is elected or qualified. The bill also would clarify that when the sheriff is in jail, the county clerk would be the keeper of the jail.

Conference Committee Action

The Conference Committee amended Sub. for HB 2039 by striking the original text of the bill and replacing it with the text of SB 494.

Background

HB 2039 in its original form would have deleted the limit on the number of small claims actions that can be filed in the same court during any calendar year. The Conference Committee replaced the original text of HB 2039 with the text of SB 494.

The proponents of SB 494, as introduced, who provided testimony in the Senate Committee hearing were the Sheriff of Douglas County, the Bourbon County Clerk, and a representative of the Kansas County Clerks' and Election

*Conference committee report briefs are prepared by the Legislative Research Department and do not express legislative intent. No summary is prepared when the report is an agreement to disagree. Conference committee report briefs may be accessed on the Internet at <http://www.kslegislature.org/kldr>

Officials' Association. There was no testimony in opposition to the bill in the Senate Committee hearing.

The Senate Committee amended the bill to delete surplus language and make the language gender neutral.

The fiscal note on the bill, as introduced, states passage of the bill would have no fiscal effect.

County Clerk Duties and Powers of Sheriff