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300 SW TENTH AVENUE ■ SUITE 24-E ■ TOPEKA, KS 66612 ■ (785) 296-2321

MEMORANDUM

To: House Committee on Judiciary
From: Office of Revisor of Statutes
Date: February 5, 2025
Subject: Bill Brief for HB 2155 (As Introduced)

House Bill 2155 specifies that sheriffs have liability for official acts related to charge and custody of jails.

The bill amends K.S.A. 19-811, the statute providing that the sheriff shall have the charge and custody of the jail of the sheriff's county, and all the prisoners in such jail. Current law provides that the sheriff "shall keep such jail himself, or by his deputy or jailer, for whose acts he and his sureties shall be liable." The bill would specify that the sheriff "shall keep such jail personally, or by a deputy or jailer, for whose official acts the sheriff and sureties of the sheriff shall be liable." This change would align the language of the statute with current law in K.S.A. 19-805, which provides that "[i]n addition to the undersheriff, the sheriff also may appoint, promote, demote and dismiss additional deputies and assistants necessary to carry out the duties of the office, for whose official acts the sheriff is responsible."

The bill would take effect from and after publication in the statute book, July 1, 2025.