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MEMORANDUM

To: Senate Committee on Judiciary

From: Office of Revisor of Statutes

Date: February 13, 2025

Subject: Bill Brief on SB 188

Senate Bill 188 requires a secured release for release prior to trial when a person is charged with certain offenses and creates a mechanism for unsecured judicial release.

Section 11 amends K.S.A. 22-2815, the statute that sets procedures for releasing a person on their own recognizance. This bill changes the phrasing to being released on unsecured judicial release. It also adds a list of crimes for which a person shall not be eligible for unsecured judicial release, which would be capital murder, murder in the first degree, murder in the second degree, kidnapping or aggravated kidnapping, aggravated assault, aggravated battery, aggravated robbery, rape, criminal sodomy or aggravated criminal sodomy, aggravated sexual battery and aggravated indecent liberties with a child.

The remaining sections amend K.S.A. 21-5703, 21-5709, 21-5710, 21-5910, 21-5915, 21-6316, 21-6329, 22-2802, 22-2803, 22-2814, 22-2816 and 22-2817 to replace wording reference "own recognizance" with "unsecured judicial release" and make other necessary technical changes related to subsection redesignation.