



Kansas Sheriffs' Association

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Proponent Testimony to Committee on Senate Judiciary On HB 2378 as Amended by the House Committee of the Whole March 17, 1925

Chairwoman Warren and Committee Members,

KSA provided proponent testimony on HB 2378 on February 17, 2025. We also suggested some amendments to the bill as written. Detailed below are the amendments that we suggested.

Section 2:

1. In subsection (a), page 1 lines 21-22, clarifying the affidavit must be notarized. **The amended bill now reflects our suggestion.**
2. In subsection (b), starting on page 1, line 32, adding a definition of "immediate family member." Some samples from statute include: KSA 21-5427 subsection (f) (5); KSA 21-5926 subsection (f); and KSA 50-676 subsection (c). **The amended bill now reflects our suggestion on page 3.**

Section 3:

1. In subsection (c) on page 2, lines 20-22, adding "criminal damage to property" to the list. **We agree with the decision to just strike that subsection as unnecessary.**
2. We also suggested that the term county sheriff be stricken in all sections and be replaced with applicable law enforcement agency, law enforcement officer or law enforcement agency. This is to allow for any law enforcement agency/officer to serve the notarized affidavit to a squatter within their jurisdiction and assures the responding officers are in the best position to know any call history at the location. **The amended bill now reflects our suggestion.**

Section 5:

1. We asked for the phrase on page 2, starting on line 34, to be changed to "no law enforcement agency or such agency's deputies or employees." **The amended bill reflects this request but we believe "deputies or" could be stricken, leaving "law enforcement agency or such agency's employees."**

Amendment request: We are requesting an amendment on page 1, line 22, to change the words "in the county" to "with primary jurisdiction." This language is more specific to get the information to the law enforcement agency handling calls to the dwelling unit involved.

The only other question we still have is what happens if the squatter refuses to leave after being served. On page 3 subsection (c), starting on line 23, "the removal of a squatter shall not require the use of an eviction action under such act." Is the intent that law enforcement would arrest the individual for trespassing or some other crime to bypass the eviction procedure? **We need more clarity on the legislative intent of our actions and the authority of taking such actions.**

We want to thank the house committee for incorporating our suggestions into the amended bill and the KSA is supportive of the amended bill.

Thank you for your consideration.

Sheriff Jeff Easter
KSA Legislative Chair