

**CONFERENCE COMMITTEE REPORT BRIEF
SENATE BILL NO. 204**

As Agreed to March 26, 2025

Brief*

SB 204 would require the sealing of certain records relating to case information, warrants, and subpoenas in certain criminal and juvenile cases; require the sealing of certain records relating to case information, warrants, and subpoenas in certain criminal and juvenile cases; and amend law concerning the selection of attorney members of county law library (CLL) boards of trustees and fees that may be used for enhancing and facilitating the functions of the district court in the county.

Sealing of Court Records—Pending Warrant Disposition

The bill would require the sealing of a criminal case or a case pursuant to the Revised Kansas Juvenile Justice Code in which an arrest warrant is being sought until such warrant is executed or denied.

The bill would require that subpoenas issued in the above cases remain sealed unless the court makes a finding that unsealing such subpoena is in the interest of justice.

The bill would specify that “seal” means that no information related to a case, warrant, or subpoena, including the existence of such case, warrant, subpoena, or return of service, could be made public, but would allow for disclosure of warrant information, subpoenas, returns of service, or other case information to law enforcement for the purposes of executing a warrant or serving a subpoena.

In addition, information related to an arrest warrant issued for a defendant’s failure to appear as directed by a court would not be sealed under the provisions of the bill.

The bill would apply retroactively to any case, warrant information, or subpoena currently pending.

*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 <https://klrd.gov/>

County Law Libraries

Selection of CLL Board of Trustee Members

For CLLs located in counties other than Douglas, Johnson, or Sedgwick, current law provides that at least two resident attorneys be elected to two-year terms by a majority of attorneys residing in the county to serve on the CLL's board of trustees (board).

The bill would remove the requirement that such attorney members be elected, and would instead require the chief judge of the judicial district appoint these attorney members to the CLL board.

The bill would also make technical amendments to ensure consistency in statutory phrasing.

Use of Fees

Current law provides that CLL boards may authorize chief judges of the judicial district to use annual attorney registration fees for the purpose of facilitating and enhancing the functions of the district court of the county. The bill would specify CLL boards may also authorize the chief judge to use library fees assessed in certain court cases for this same purpose.

Conference Committee Action

The Conference Committee agreed to the provisions of SB 204, as passed by the House, regarding sealing of certain court records, and agreed to add the contents of SB 53, as recommended by the House Committee on Judiciary, regarding county law libraries.

Background

The Conference Committee added the contents of SB 53, as passed by the House Committee on Judiciary to the contents of SB 204, as passed by the House.

SB 204 (Sealing of Court Records—Pending Warrant Disposition)

SB 204 was introduced by the Senate Committee on Judiciary at the request of a representative of the Kansas County and District Attorneys Association.

Senate Committee on Judiciary

In the Senate Committee hearing, **proponent** testimony was provided by district attorneys from the 10th and 18th Judicial Districts and a representative from the Kansas Sheriffs Association. The proponents generally stated the bill is necessary to address issues created when the Judicial Branch transitioned to a new records management system to prevent certain private information from being publicly available when it should not be.

Written-only proponent testimony was provided by representatives of Metropolitan Organization Countering Sexual Assault, Wichita Family Crisis Center, and Safehome.

Written-only neutral testimony was provided by a representative of the Kansas Coalition Against Sexual and Domestic Violence (Coalition).

Written-only opponent testimony was provided by a representative of Kansas Bail Agents Association (KBAA).

The Senate Committee amended the bill to allow disclosure of warrant information, subpoenas, or other case information to law enforcement when such information is necessary for execution of such warrant or serving such subpoena. [Note: The Conference Committee retained this amendment.]

Senate Committee of the Whole

The Senate Committee of the Whole adopted an amendment to specify arrest warrants issued for a defendant's failure to appear in court as directed could be disclosed pursuant to the bill. [Note: The Conference Committee retained this amendment.]

House Committee on Judiciary

In the House Committee hearing, **proponent** testimony was provided by district attorneys from the 10th and 18th Judicial Districts and a representative of the Kansas Association of Chiefs of Police, Kansas Peace Officers Association, and Kansas Sheriffs Association. The testimony was substantially similar to the testimony provided in the Senate Committee hearing. The district attorney from the 10th Judicial District requested an amendment to include a return of service document along with the subpoena.

Written-only neutral testimony was provided by representatives of the KBAA and the Coalition.

The House Committee amended the bill to include the return of service document as a covered record and to clarify the definition of "seal" with respect to subpoenas. [Note: The Conference Committee retained this amendment.]

SB 53 (County Law Libraries)

SB 53 was introduced by the Senate Committee on Judiciary at the request of Senator Bowers on behalf of the Kansas District Judges Association (KDJA).

Senate Committee on Judiciary

In the Senate Committee hearing, the Jefferson County Attorney and a representative of KDJA provided **proponent** testimony. Proponents stated the bill would enhance access to justice for the public, increase the quality of legal research available at CLLs, and create an easier path to fill CLL board positions.

No other testimony was provided.

House Committee on Judiciary

In the House Committee hearing, a representative of the KDJA provided **proponent** testimony that was substantially similar to testimony presented in the Senate Committee on Judiciary hearing.

No other testimony was provided.

Fiscal Information

SB 204 (Sealing of Court Records—Pending Warrant Disposition)

According to the fiscal note prepared by the Division of the Budget on SB 204, as introduced, the Office of Judicial Administration indicates enactment of the bill would have a significant effect on expenditures by increasing the workload of district court clerks. Reprogramming of the centralized case management system could reduce this workload, but it would also increase expenditures. However, the fiscal effect cannot be estimated.

Any fiscal effect associated with enactment of SB 204 is not reflected in *The FY 2026 Governor's Budget Report*.

SB 53 (County Law Libraries)

According to the fiscal note provided by the Division of the Budget on SB 53, the Office of Judicial Administration indicates enactment of the bill would have a negligible fiscal effect on the Judicial Branch.

Any fiscal effect associated with enactment of SB 53 is not reflected in *The FY 2026 Governor's Budget Report*.

Judiciary; attorneys; county; criminal; sealing of court records; subpoenas; warrants; law library; board of trustees

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