

Substitute for HOUSE BILL NO. 2055

By Committee on Corrections and Juvenile Justice

AN ACT concerning criminal procedure; relating to district attorney offender reports; amending K.S.A. 22-3432 and K.S.A. 2011 Supp. 22-3427 and repealing the existing sections.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 2011 Supp. 22-3427 is hereby amended to read as follows: 22-3427.

(a) When any person has been convicted of a violation of any law of the state of Kansas and has been sentenced to confinement, it shall be the duty of the sheriff of the county, upon receipt of a certified copy of the journal entry of judgment, judgment form showing conviction, sentence, and commitment, or an order of commitment supported by a recorded judgment of sentence, to cause such person to be confined in accordance with the sentence.

(b) The certified copy of a judgment and sentence to confinement or imprisonment shall be sufficient authority for the jailer or warden or other person in charge of the place of confinement to detain such person for the period of the sentence.

(c) The court shall forward a copy of all complaints, supporting affidavits, ~~county and district attorney reports~~, presentence investigation reports and other diagnostic reports on the offender received by the district court, including any reports received from the state security hospital, to the officer having the offender in custody for delivery with the offender to the correctional institution.

Sec. 2. K.S.A. 22-3432 is hereby amended to read as follows: 22-3432. (a) It shall be the duty of the county or district attorney of the county in which a person has been convicted of a felony and sentenced to imprisonment to furnish to the secretary of corrections information pertaining to the any special facts and circumstances surrounding the commission of the offense; ~~including any aggravating or mitigating circumstances, and such other information which has~~

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~~come to the attention of the county attorney which might have a bearing in determining the possibility of the inmate thereafter becoming a useful citizen or the offender that cannot be obtained from records provided to the secretary pursuant to K.S.A. 22-3427, and amendments thereto. This~~

(b) If applicable, such information shall be set forth on forms provided by the secretary and shall be submitted at the time ~~the~~ such inmate is committed. Such information shall be forwarded by the secretary to the correctional institution receiving such inmate.

Sec. 3. K.S.A. 22-3432 and K.S.A. 2011 Supp. 22-3427 are hereby repealed.

Sec. 4. This act shall take effect and be in force from and after its publication in the statute book.