

Approved: May 22, 2012
(Date)

MINUTES OF THE SENATE JUDICIARY COMMITTEE

The Chairman called the meeting to order at 9:35 a.m. on January 24, 2012, in Room 548-S of the Capitol. All members were present except Senator Schodorf, who was excused.

Committee staff present:

Jason Thompson, Office of the Revisor of Statutes
Bob Allison-Gallimore, Kansas Legislative Research Department
Lauren Douglass, Kansas Legislative Research Department
Theresa Kiernan, Committee Assistant

Others attending:

See attached list

The Chairman turned the Committee's attention to **SB 249–Relating to employees; criminal history record check**.

Jason Thompson, Staff Revisor, distributed copies of a balloon amendment for **SB 249** (Attachment 1). Mr. Thompson stated the amendments in the balloon would clarify that current employees of the Division of Legislative Post Audit could be fingerprinted for the purpose of conducting criminal history checks

Senator Umberger moved, Senator Pilcher-Cook seconded, the amendment proposed in the balloon be adopted. Motion adopted.

*Senator Umberger moved, Senator Pilcher-Cook seconded, **SB 249** be passed, as amended. Motion adopted.*

The Chairman turned the Committee's attention to **SB 279–Unlawful sexual relations, foster parents and foster children**.

Jason Thompson, Staff Revisor, distributed copies of a balloon amendment for **SB 279** (Attachment 2). Mr. Thompson stated the amendments in the balloon would address concerns raised by Senator Vratil relating to the language used in existing law. The amendments would clarify existing language.

Senator Vratil moved, Senator King seconded, the amendments in the balloon be adopted. Motion adopted.

Senator Kelly moved, Senator King seconded, on page 2 of the balloon, in the first line of the last insert that the word “regular” be stricken. Motion adopted.

*Senator Vratil moved, Senator Schodorf seconded, **SB 279** be passed, as amended. Motion adopted.*

The Chairman turned the Committee's attention to **SB 280–Sexually violent predator cases; evaluations**

CONTINUATION SHEET

Minutes of the Senate Judiciary Committee at 9:35 a.m. on January 24, 2012, in Room 548-S of the Capitol.

and expert testimony.

Jason Thompson, Staff Revisor, distributed copies of a memo relating to the physician-patient privilege prepared by Katherine McBride and copies of a balloon amendment for **SB 280** (Attachments 3 and 4). Mr. Thompson stated the amendments in the balloon would clarify that neither the physician-patient privilege nor HIPPA is violated if statements made by the detainee during the evaluation and conclusions drawn by the person conducting the evaluation are disclosed in accordance with the section.

Senator Vratil moved, Senator Kelly seconded, the amendments in the balloon be adopted. Motion adopted.

*Senator Vratil moved, Senator Umbarger seconded, **SB 280** be passed, as amended. Motion adopted.*

The Chairman turned the Committee's attention to **SB 291—Amendments to the uniform trust code.**

*Senator King moved, Senator Kelly seconded, to amend **SB 291** on page 1, in line 29, by striking, “may” and inserting “is not presumed to”. Motion adopted.*

*Senator King moved, Senator Lynn seconded, **SB 291** be passed, as amended. Motion adopted.*

The Chairman turned the Committee's attention to **SB 292—Revoking an ex-spouse's inheritance rights upon divorce.**

In response to a question raised by Senator Schodorf, the Chairman stated if **SB 292** is enacted, a new will should be executed after a divorce if a person desires to leave property or other benefit to an ex-spouse.

*Senator Vratil moved, Senator Umbarger seconded, **SB 292** be passed. Motion adopted.*

The Chairman turned the Committee's attention to **SB 293—Filing of wills and admission to probate.**

*Senator King moved, Senator Vratil seconded, **SB 293** be passed. Motion adopted.*

The Chairman turned the Committee's attention to **SB 297—Removing the gifts from a spouse exception from marital property in a divorce.**

*Senator Vratil moved, Senator King seconded, **SB 297** be passed. Motion adopted.*

The next meeting is scheduled for January 25, 2012.

The meeting was adjourned at 10:30 a.m.