SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2076

<u>As Amended by House Committee on Judiciary</u>

Brief*

HB 2076, as amended, would amend law related to sureties in the Code of Criminal Procedure to state any person who is released on an appearance bond may be arrested and delivered to a custodial officer of the court by a surety or surety's designee in the county where the complaint subject to the bond was filed. Under current law, sureties seeking discharge of an appearance bond may do so in any county in the state in which the person is charged.

The bill also would define "custodial officer of the court" as the sheriff or keeper of the jail in the county.

Background

The bill was introduced by the House Committee on Judiciary at the request of Representative Patton on behalf of the Kansas Sheriffs Association.

House Committee on Judiciary

In the House Committee hearing on January 27, 2021, representatives of the Kansas Bail Agents Association and Kansas Sheriffs Association testified as **proponents** of the bill, stating the change would address the problem of some sureties failing to transport offenders between counties when rearrested and leaving sheriffs responsible for transport to the

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*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at http://www.kslegislature.org

appropriate county. The Kansas Association of Counties provided written-only proponent testimony.

No neutral or **opponent** testimony was provided.

On February 11, 2021, the House Committee amended the bill to define "custodial officer of the court."

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on the bill, as introduced, the Office of Judicial Administration and Kansas Association of Counties indicate enactment of the bill would have a negligible fiscal effect.

Sureties; appearance bond; arrest and delivery; county where delivered