

SESSION OF 2024

SUPPLEMENTAL NOTE ON SENATE BILL NO. 318

As Amended by Senate Committee of the Whole

Brief*

SB 318, as amended, would amend law in the Kansas Code of Procedure for Municipal Courts (Code) governing fingerprinting for municipal convictions and the prosecution of cases by the city attorney in municipal court.

Fingerprinting for Municipal Convictions

The bill would specify that fingerprints need not be obtained from individuals convicted of violating municipal ordinances related to vehicle registration, driving without a valid driver's license, or failing to have motor vehicle liability insurance coverage. Current law provides fingerprints must be obtained in all municipal convictions that are comparable to a class A or class B misdemeanor or assault under the Kansas Criminal Code.

Prosecution of Cases by City Attorney in Municipal Court

In a prosecution by a city attorney in municipal court, the bill would allow an accused person or accused person's counsel to present or provide to the city attorney matters that are relevant to the case, and would require the city attorney to inspect and review all presented audio and video recordings relevant to the case, including recordings made and retained by law enforcement using a body camera or vehicle camera.

*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>

The bill would also make technical amendments.

Background

The bill was introduced in the Senate Committee on Ways and Means at the request of Senator Bowers. [*Note:* As introduced, the bill contained only provisions concerning fingerprinting.]

Senate Committee on Judiciary

In the Senate Committee hearing on January 23, 2024, a representative of the Kansas Municipal Judges Association (KMJA) provided **proponent** testimony, stating the bill would reduce the time and resources of staff needed to process fingerprints in municipal court for these nonviolent offenses.

Written-only proponent testimony was provided by two municipal court judges.

The City Attorney of Topeka provided neutral testimony, stating that removing the fingerprint requirement for these offenses would mean defendants would not have to appear in court which could lead to unintended consequences.

Written-only neutral testimony was provided by a representative of the Kansas Association of Police Chiefs, Kansas Sheriffs Association, and Kansas Peace Officers Association.

No other testimony was provided.

Senate Committee of the Whole

The Senate Committee of the Whole (SCOW) amended the bill to add a provision that a city attorney would be required to review every audio and video recording relevant

to a case when presented. SCOW also adopted a technical amendment.

Fiscal Information

No fiscal note was available when SCOW took action on the bill.

Municipal Courts; fingerprinting; driver's license; vehicle; municipal attorneys; recordings