

SESSION OF 2017

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2234

As Amended by House Committee on Judiciary

Brief*

HB 2234, as amended, would amend a statute regarding infectious disease testing of certain alleged offenders or persons arrested and charged with a crime to require such testing occur within 48 hours after the alleged offender appears before a magistrate following arrest. The bill would also require the court to order the arrested person to submit to follow-up tests for infectious diseases as medically appropriate. Finally, the bill would clarify that the results of such tests are to be disclosed to the victim and parent or legal guardian of the victim.

Background

The bill was introduced by the House Committee on Judiciary at the request of the Governor's Grants Program. In the House Committee, the attorney for the Governor's Grants Program testified in support of the bill, stating the federal administrators of the Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program has indicated Kansas could lose \$45,000 in grant funding unless the bill was enacted. The attorney also requested an amendment regarding notification of the victim and parent or legal guardian of the victim, to fully comply with the federal requirements. Written-only testimony supporting the bill was received from the administrator of the Governor's Grants Program, the Kansas County and District Attorneys Association, the Kansas Coalition Against Sexual and Domestic Violence, and the Kansas Department of Health and Environment. No opponent or neutral testimony was provided.

*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 House Committee adopted the amendment requested by the Governor's Grants Program.

According to the fiscal note prepared by the Division of the Budget on the bill, as introduced, any fiscal effect for the Department of Health and Environment and for the Judicial Branch would be negligible, and is not reflected in *The FY 2018 Governor's Budget Report*.