

SESSION OF 2018

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2523

As Amended by House Committee on Judiciary

Brief*

HB 2523, as amended, would amend the statute setting forth the qualifications required of sheriffs. Specifically, the bill would narrow language disqualifying a person from holding the office of sheriff if the person has been convicted of a violation of any federal or state laws or city ordinances relating to gambling, liquor, or narcotics, to disqualify only for a misdemeanor related to gambling, liquor, or narcotics within five years immediately preceding election or appointment. (*Note: any felony committed during the person's lifetime would continue to disqualify the person.*)

The bill would remove a specific 320-hour training requirement and clarify the training and testing required of sheriffs.

The remaining changes in the bill reflect non-substantive reorganization of the existing standards.

Background

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

In the House Committee hearing, a representative of the Kansas Sheriffs' Association testified in support of the bill, stating it would eliminate a lifetime disqualification for certain misdemeanor convictions and make other requirements for sheriffs consistent with changes made to the Kansas Law

*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>

Enforcement Training Act. Also appearing in support of the bill were the Chautauqua County Undersheriff and a representative of the Johnson County Sheriff's Office. The American Civil Liberties Union of Kansas submitted written testimony opposing the bill due to the inclusion of drug possession misdemeanor disqualification provisions.

The House Committee amended the bill to reduce the ten-year look back for certain misdemeanor convictions to a five-year look back.

According to the fiscal note prepared by the Division of the Budget on the bill, as introduced, the Kansas Commission on Peace Officers Standards and Training and the Kansas Association of Counties indicate enactment of the bill would have no fiscal effect.