

## Substitute for HOUSE BILL No. 2018

By Committee on Corrections and Juvenile Justice

2-25

1 AN ACT creating the Kansas criminal justice reform commission; relating  
2 to duties and membership; report to legislature.

3  
4 *Be it enacted by the Legislature of the State of Kansas:*

5 Section 1. (a) There is hereby created the Kansas criminal justice  
6 reform commission.

7 (b) The commission shall:

8 (1) Analyze the sentencing guidelines grids for drug and nondrug  
9 crimes and make recommendations for legislation that would ensure  
10 sentences are appropriate;

11 (2) review the sentences imposed for criminal conduct to determine  
12 whether the sentences are proportionate to other sentences imposed for  
13 criminal offenses;

14 (3) analyze diversion programs utilized throughout the state and make  
15 recommendations with respect to expanding diversion options and  
16 implementation of a state-wide diversion standards;

17 (4) review the supervision levels and programming available for  
18 offenders who serve sentences for felony offenses on community  
19 supervision;

20 (5) study specialty courts and make recommendations for the use of  
21 specialty courts throughout the state;

22 (6) survey the availability of evidence-based programming for  
23 offenders provided both in correctional facilities and in the community,  
24 and make recommendations for changes in available programming;

25 (7) study the policies of the department of corrections for placement  
26 of offenders within the correctional facility system and make  
27 recommendations with respect to specialty facilities, including, but not  
28 limited to, geriatric, healthcare and substance abuse facilities;

29 (8) evaluate existing information management data systems and make  
30 recommendations for improvements to data systems that will enhance the  
31 ability of criminal justice agencies to evaluate and monitor the efficacy of  
32 the criminal justice system at all points in the criminal justice process; and

33 (9) study other matters, that, as the commission determines, are  
34 appropriate and necessary to complete a thorough review of the criminal  
35 justice system.

36 (c) The commission shall be made of the following members:

- 1 (1) One member of the Kansas senate appointed by the president of  
2 the senate;
- 3 (2) one member of the Kansas senate appointed by the minority  
4 leader of the senate;
- 5 (3) one member of the Kansas house of representatives appointed by  
6 the speaker of the Kansas house of representatives;
- 7 (4) one member of the Kansas house of representatives appointed by  
8 the minority leader of the Kansas house of representatives;
- 9 (5) one member of the judicial branch court services appointed by the  
10 chief justice of the supreme court;
- 11 (6) one defense attorney or public defender appointed by the  
12 governor;
- 13 (7) one county or district attorney from an urban area and one county  
14 attorney from a rural area appointed by the Kansas county and district  
15 attorneys association;
- 16 (8) one sheriff and one chief of police appointed by the attorney  
17 general;
- 18 (9) one professor of law from the university of Kansas school of law  
19 and one professor of law from Washburn university school of law,  
20 appointed by the deans of such schools;
- 21 (10) one drug and alcohol addiction treatment provider appointed by  
22 the governor;
- 23 (11) one district judge appointed by the Kansas district judges  
24 association;
- 25 (12) one district magistrate judge appointed by the Kansas district  
26 magistrate judges association;
- 27 (13) one member representative of the faith-based community  
28 appointed by the governor;
- 29 (14) one member of a criminal justice reform advocacy organization  
30 appointed by the governor;
- 31 (15) one mental health professional appointed the by Kansas  
32 community mental health association;
- 33 (16) one member representative of community corrections appointed  
34 by the secretary of corrections; and
- 35 (17) the attorney general, the secretary of corrections and the  
36 executive director of the Kansas sentencing commission, or such persons'  
37 designees, shall serve as ex officio, nonvoting members of the  
38 commission.
- 39 (d) The members of the commission shall elect officers from among  
40 its members necessary to discharge its duties. The commission shall  
41 receive testimony from interested parties at public hearings to be  
42 conducted in the various geographic areas of the state.
- 43 (e) Each member of the commission shall receive compensation,

1 subsistence allowances, mileage and other expenses as provided for in  
2 K.S.A. 75-3223, and amendments thereto, except that the public members  
3 shall receive compensation in the amount provided for legislators pursuant  
4 to K.S.A. 75-3212, and amendments thereto, for each day or part thereof  
5 actually spent on commission activities. No per diem compensation shall  
6 be paid under this subsection to salaried state, county or city officers or  
7 employees, except that the legislative members shall receive compensation  
8 as provided in K.S.A. 75-3212, and amendments thereto.

9 (f) The commission shall have the authority to organize and appoint  
10 such task forces or subcommittees as may be deemed necessary to  
11 discharge such commission's duties, including adding ex officio, nonvoting  
12 members to such task forces or subcommittees.

13 (g) The commission shall work with the Kansas judicial council, the  
14 department of corrections and the Kansas sentencing commission and  
15 review studies and findings of the Kansas sentencing commission  
16 concerning proportionality of sentencing.

17 (h) The commission shall prepare and submit its interim report to the  
18 legislature on or before December 1, 2019. A final report and  
19 recommendations shall be submitted to the legislature on or before  
20 December 1, 2020.

21 (i) The staff of the office of revisor of statutes and the legislative  
22 research department shall provide such assistance as may be requested by  
23 the commission as authorized by the legislative coordinating council.

24 (j) The governor shall appoint a facilitator to assist the commission in  
25 developing a project plan and who shall assist the commission in carrying  
26 out the duties of the commission in an orderly manner. The facilitator shall  
27 work in collaboration with the commission chairperson and staff of the  
28 office of revisor of statutes and the legislative research department. The  
29 facilitator shall not be a member of the commission.

30 Sec. 2. This act shall take effect and be in force from and after its  
31 publication in the statute book.