

MINUTES OF THE SENATE JUDICIARY COMMITTEE

The meeting was called to order by Chairperson Kellie Warren at 10:30 am on Thursday, March 21, 2024, 548-S.

All members were present

Committee staff present:

Barbara Moore, Kansas Legislative Committee Assistant
Elizabeth Cohn, Legislative Research Department
Jason Thompson, Office of Revisor of Statutes
Jenna Moyer, Office of Revisor of Statutes
Natalie Nelson, Legislative Research Department

Conferees appearing before the Committee:

Eric Stafford, Vice President of Government Affairs, Kansas Chamber
Ryan Kriegshauser, Partner Kriegshauser Ney Law Group
Dai Wai Chin Feman, Parabellum Capital
John Federico, Federico//Duerst Consulting Group on behalf of the International Legal Finance Association (ILFA)
Christy Fischer, Wichita Animal Action League

Others in attendance:

No list available

Final action on bills previously heard

Chairwoman Warren recognized Senator Olson with a Point of Personal Privilege. Senator Olson announced that he is retiring, and this is his last Judiciary Committee meeting. Chairwoman Warren said she appreciates his service to this committee and to the state of Kansas.

Chairwoman Warren called for final action on **HB2605 - Increasing the maximum rate paid to appointed counsel.**

Jason Thompson, Revisor's Office provided an overview and stood for questions.

*Senator Olson moved and Senator Bowers seconded to recommend **HB2605** favorable for passage and be placed on the Consent Calendar. Motion carried*

Chairwoman Warren called for final action on **HB2781 - crime victims compensation board allowing compensation for criminally injurious conduct; increasing the amount of award.**

Jason Thompson provided an overview and stood for questions.

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CONTINUATION SHEET

MINUTES of the Committee on Judiciary at 10:30 am on Thursday, March 21, 2024, 548-S.

*Vice-Chair Wilborn moved and Senator Olson seconded to recommend **HB2781** favorable for passage and be placed on the Consent Calendar. Motion carried.*

Chairwoman Warren called for final action on **HB2353 - concerning the care and treatment for mentally ill persons, increasing the time allowed for continued treatment.**

Jason Thompson provided an overview and stood for questions.

*Senator Bowers moved and Senator Olson seconded to recommend **HB2353**, favorable for passage. Motion carried.* Senator Steffen would like his no vote recorded.

Chairwoman Warren called for final action on **HB2601 - requiring certain persons on a third or subsequent conviction of driving under the influence to participate in a multidisciplinary model for services for substance abuse disorders**

Jason Thompson provided an overview and stood for questions.

*Vice-Chair Wilborn moved and Senator Corson seconded to recommend **HB2601** favorable for passage. Motion carried.*

Chairwoman Warren called for final action on **HB2755 - requiring compensated sureties who post bond in municipal court to comply with certain requirements; requiring a minimum bond premium in district court.**

Jason Thompson gave an overview and stood for questions.

Chairwoman Warren proposed an amendment - municipal change. Jason Thompson gave an overview of the amendment and stood for questions. ([Attachment 1](#))

Chairwoman Warren moved to adopt the amendment, Senator Gossage seconded. Motion carried.

*Senator Gossage moved, Senator Olson seconded to recommend **HB2755** as amended, favorable for passage. Motion carried.* Division was requested, by a show of hands, four in favor, four opposed. Chairwoman Warren votes aye as a tie breaker.

Chairwoman Warren called for final action on **HB2583 - increasing the criminal penalty for harming or killing certain dogs and horses.**

Jason Thompson provided an overview of the bill and stood for questions.

Chairwoman Warren proposed an amendment brought by law enforcement with an addition of

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CONTINUATION SHEET

MINUTES of the Committee on Judiciary at 10:30 am on Thursday, March 21, 2024, 548-S.

definition of assistance dogs that work for law enforcement. ([Attachment 2](#))

Chairwoman Warren moved to adopt the amendment, Senator Gossage seconded. Motion carried.

Chairwoman Warren proposed a second amendment brought by law enforcement - structural change to penalties. ([Attachment 3](#))

Jason Thompson provided an overview and stood for questions.

Chairwoman Warren moved to adopt the amendment, Senator Gossage seconded. Motion carried.

*Chairwoman Warren moved and Senator Gossage seconded to recommend **HB2583** as amended, favorable for passage. Motion carried.* Senator Haley would like his No vote recorded.

Chairwoman Warren called for final action on **HB2665 - increasing penalties for a driver leaving the scene of a vehicular accident when the accident results in the death of any person.**

Jason Thompson provided an overview of the bill and stood for questions.

*Senator Baumgardner moved and Senator Haley seconded to recommend **HB2665** favorable for passage. Motion carried.*

Chairwoman Warren called for final action on **HB2675 - enacting the uniform nonparent visitation act.**

Jason Thompson provided an overview of the bill and stood for questions.

Senator Steffen proposed an amendment - parent or person acting as a parent ([Attachment 4](#))

Jason Thompson gave an overview of the amendment.

Senator Steffen moved to adopt the amendment, Senator Gossage seconded. Motion carried.

*Senator Baumgardner moved and Senator Gossage seconded, to recommend **HB2675** as amended, favorable for passage. Motion carried.*

Chairwoman Warren called for final action on **HB2490 - relating to juvenile offenders; limiting overall case length limit extensions to 90 days per extension.**

Jason Thompson provided an overview of the bill and stood for questions.

CONTINUATION SHEET

MINUTES of the Committee on Judiciary at 10:30 am on Thursday, March 21, 2024, 548-S.

Senator Baumgardner proposed an amendment - academic record ([Attachment 5](#))

Senator Baumgardner moved to adopt the amendment, Senator Gossage seconded. Motion carried.

Senator Baumgardner proposed an amendment - dyslexia screening ([Attachment 6](#))

Senator Baumgardner moved to adopt the amendment, Senator Corson seconded. Motion carried.

Senator Baumgardner proposed an amendment - 90 days - related to number of days that a case may be extended. ([Attachment 7](#)) Chairwoman Warren feels this amendment significantly changes the bill, after further discussion, Senator Baumgardner withdrew the amendment.

Senator Baumgardner proposed an amendment - 120 days - related to number of days that a case may be extended. ([Attachment 8](#))

Senator Baumgardner moved to adopt the amendment, Senator Corson seconded. Motion carried

*Senator Baumgardner moved and Senator Corson seconded to recommend **HB2490** as amended, favorable for passage. Motion carried.*

Informational briefing:

Chairwoman Warren opened the Informational briefing for **HB2510**

Jason Thompson provided an overview on the bill. Note: this bill not in the Judiciary Committee and is still below the line in the House ([Attachment 9](#))

Eric Stafford, Vice President of Government Affairs, Kansas Chamber, and Ryan Kriegshauser, Ney Law Group, provided testimony in support of the bill. They state **HB2510** reflects new language based on testimony from the Attorney General's office. Through discussions they were able to amend **HB2510** in a manner that protects public interest legislation. The amended bill seeks disclosure for those third-party entities with a profit-driven financial interest in the outcome of the case. ([Attachment 10](#))

Written-only testimony in support of **HB2510** was submitted by Mike O'Neal, Alliance for Responsible Consumer Legal Funding ([Attachment 11](#))

John Federico, Federico // Duerst Consulting Group, on behalf of the International Legal Finance Association (ILFA) oppose the bill. He states they do not understand the 'problem' in Kansas that needs to be fixed that would necessitate putting a law on the books. Also, what is being proposed in the bill 'forced disclosure' between two contracting parties serves little purpose other than to advantage one party to a lawsuit, to the detriment of the other. ([Attachment 12](#))

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CONTINUATION SHEET

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Dai Wai Chin Feman, Managing Director, Parabellum Capital, a litigation funding firm, is opposed to the bill. He states automatic forced disclosure allows opposing parties to weaponize the financing agreement to their advantage, which disadvantages a much larger group of businesses that would like to use commercial legal finance. Commercial legal finance enables parties with meritorious claims to access our justice system which in turn ensures courts will hear the best legal arguments and arrive at the right legal conclusions. The result is a fairer and more just legal system. ([Attachment 13](#))

Written-only testimony in opposition of **HB2510** was submitted by:

- Gary Barnett, International Legal Finance Association ([Attachment 14](#))
- Callie Denton, Kansas Trial Lawyers Association ([Attachment 15](#))
- Joseph Molina, Kansas Bar Association ([Attachment 16](#))

There being no further conferees, Chairwoman Warren closed the informational briefing on **HB2510**.

Informational briefing: SB503 — Increasing the criminal penalties for knowingly and maliciously abandoning any animal in any place without making provisions for the proper care of the animal.

Chairwoman Warren opened the informational briefing on **SB503**

Jason Thompson gave an overview of the bill and stood for questions. ([Attachment 17](#))

Christy Fischer, gave the testimony for the Wichita Animal Action League, in support of this bill. This amendment allows a prosecutor to charge a defendant with a felony, rather than merely a misdemeanor, if the defendant knowingly and maliciously abandons an animal to deprive the animal of food or water with the intent of starving the animal to death. ([Attachment 18](#)) ([Attachment 19](#))

Written-only testimony in support of **SB503** was submitted by the following:

- Nika Orebaugh, Private Citizen ([Attachment 20](#))
- Jeffrey Easter, Sedgwick County Sheriffs Office ([Attachment 21](#))
- Joseph Sullivan, Chief of Police, Wichita Police Department ([Attachment 22](#))
- Aaron Walker, President and Chief Executive Officer, Kansas Humane Society of Wichita Kansas ([Attachment 23](#))

There being no further conferees, Chairwoman Warren closed the informational briefing on **SB503**.

Meeting adjourned at 12:52 p.m.