

SESSION OF 2016

**SUPPLEMENTAL NOTE ON SUBSTITUTE FOR SENATE
BILL NO. 22**

As Recommended by Senate Committee on
Judiciary

Brief*

Sub. for SB 22 would amend the statutes governing expungement for convictions of city ordinances or state laws, as well as arrests, to provide that when an expungement is ordered for a case that was appealed from a municipal court, the district court clerk must send a certified copy of the expungement order to the municipal court, which shall order the case expunged once the copy of the order is received.

The bill also would amend the statute governing appeals from municipal courts to require the district court to send notice of dismissal, conviction, or acquittal to the municipal court clerk at the end of the case.

Finally, the bill would make technical amendments to update statutory and agency references. [Note: The bill appears to extend a sunset date for the Judicial Branch surcharge to fund costs of non-judicial personnel. This provision was enacted in 2015 and is included in this bill to reconcile conflicting versions of the statute.]

Background

The bill was introduced by the Senate Committee on Judiciary at the request of the Kansas Judicial Council.

*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>

In the 2015 hearing before the Senate Committee on Judiciary, representatives of the Judicial Council and the Kansas Association of Criminal Defense Lawyers testified in support of the bill. There was no other testimony. The 2015 Senate Committee recommended the bill favorably. The bill subsequently was withdrawn from the Calendar and rereferred to the Senate Committee on Judiciary.

The 2016 Senate Committee on Judiciary recommended a substitute bill be passed. The substitute bill contains no substantive differences from the bill as introduced, only updating language to reflect statutory changes made by 2015 legislation.

The fiscal note prepared by the Division of the Budget in 2015 indicates the bill would increase postage and nonjudicial staff time expenditures for the Judicial Branch in FY 2016, but an accurate estimate cannot be provided.