

**HOUSE BILL No. 2305**

By Committee on Judiciary

2-11

1 AN ACT concerning board of indigents' defense; amending K.S.A. 22-  
2 4519 and repealing the existing section.

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

5 Section 1. K.S.A. 22-4519 is hereby amended to read as follows: 22-  
6 4519. (a) There is hereby created within the executive branch of state  
7 government the state board of indigents' defense services, which shall  
8 consist of ~~nine~~ *seven* members appointed by the governor, subject to  
9 confirmation by the senate as provided in K.S.A. 75-4315b, and  
10 amendments thereto. Except as provided by K.S.A. ~~1995 Supp.~~ 46-2601,  
11 *and amendments thereto*, no person appointed to the ~~commission~~ board  
12 shall exercise any power, duty or function as a member of the  
13 commission until confirmed by the senate.

14 (b) The terms of members who are serving on the board on the  
15 effective date of this act shall expire on January 15, of the year in which  
16 such member's term would have expired under the provisions of this  
17 section prior to amendment by this act. Thereafter, all appointments shall  
18 be for terms of three years and until their successors are appointed and  
19 confirmed.

20 (c) Of the ~~nine~~ *seven* members of the board, there shall be:

21 (1) Subject to the provisions of K.S.A. ~~1995 Supp.~~ 75-4315c, and  
22 amendments thereto, two members from the first congressional district, of  
23 whom one shall be a lawyer registered with the Kansas supreme court,  
24 and at least one member from each other congressional district in the  
25 state;

26 (2) at least one member from each county in the state having a  
27 population in excess of 100,000, who shall be a lawyer registered with  
28 the Kansas supreme court, but not more than five members from such  
29 counties; and

30 (3) ~~five~~ *four* members who are lawyers registered with the Kansas  
31 supreme court and ~~four~~ *three* members who are not lawyers.

32 (d) *A member may represent both a congressional district and a*  
33 *county in the state having a population of over 100,000.*

34 ~~(d)~~(e) No more than ~~five~~ *four* members of the board shall be from  
35 the same political party.

36 ~~(e)~~(f) No member of the board shall be, or shall be employed by, a

1 judicial officer or a law enforcement officer and no member of the board  
2 shall be an employee of the board.

3 ~~(f)~~(g) Any member appointed to fill a vacancy occurring prior to the  
4 expiration of the term for which such member's predecessor was  
5 appointed shall hold office for the remainder of such term.

6 ~~(g)~~(h) No member of the board shall serve more than two  
7 consecutive three-year terms.

8 Sec. 2. K.S.A. 22-4519 is hereby repealed.

9 Sec. 3. This act shall take effect and be in force from and after its  
10 publication in the statute book.

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