

# Guide To 2014 Kansas Legislation Impacting Law Enforcement

Version 2.0  
June 30, 2014

## LINE OFFICER AND SUPERVISOR VERSION



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This document summarizes legislation impacting law enforcement passed by the 2014 legislature. This document is intended to address the statute changes most relevant to law enforcement operations. Not all changes are listed. **Always follow the guidance of your agency for application and implementation of new and amended laws.** The author is not an attorney and this document is not legal advice. It is a summary of the legislation based on observations and discussions during the legislative process. **Questions should be addressed within your agency following your agency's protocol.**

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## Errata Sheet

June 21, 2014 (Version 1.1)

SB20 on Offender Registration removed from report. This bill was passed in 2013 and included in the original report by error.

Missing Session Law Chapters added.

June 28, 2014 (Version 1.2)

Line Officer Top Ten Things to Know: Effective date of Interfere with Law Enforcement corrected.

June 30, 2014 (Version 2.0)

Added two appendix pages: One for newly assigned statute numbers and one for repealed statutes (page 50). This information on new statute numbers was recently released by the Revisor's Office. Also added the new statute numbers to the topic listings.

Amended description in "Knives" topic under "Firearms and Weapons" category to better reflect the uncertainty that has developed regarding knives and security screening.

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## TOP 10 TOPICS OFFICERS MUST KNOW FROM THE 2014 LEGISLATIVE SESSION

June 28, 2014

1. **Search and Arrest Warrant Affidavits** are now more accessible to the media and public. Ten reasons information may be redacted or the affidavit may be sealed are provided. Public requests are made to the court clerk. The prosecution and defense then has 5 business days to tell the court why the affidavit should be sealed or redacted. The court then has 5 business days to release, seal, or redact the affidavit. ([HB2389](#)§3 and 4 amending KSA 22-2302 and 22-2502) More details are available at [www.KsLawEnforcementInfo.com/2014-session.html](http://www.KsLawEnforcementInfo.com/2014-session.html).
2. The **Interference with Law Enforcement** statute is amended effective July 1, 2014. Corrects an error created when the revisor consolidated two statutes last year. The error restricted the use of the statute to cases involving felony or misdemeanor investigations only. This revision restores the application of the statute to the investigation in any law enforcement action including felony, misdemeanor, infraction, or non-criminal matters. In addition, a new subsection is created to clarify the law applies to knowingly making a false accusation against a law enforcement officer. ([HB2655](#)§2 amending KSA 21-5904)
3. The **Felons in Possession of Weapons** statute is amended to include certain knives as well as firearms. This is accomplished by changing the word “firearm” to “weapon” in the statute, defining “weapon” as a firearm or knife, and defining the term “knife.” The prohibited knives include dagger, dirk, switchblade, stiletto, straight-edge razor or any other dangerous or deadly cutting instrument of like character. ([HB2578](#)§12 amending KSA 21-6304) More details for items 3- 6 are available at [www.KsLawEnforcementInfo.com/concealed-carry.html](http://www.KsLawEnforcementInfo.com/concealed-carry.html).
4. **Firearms in Vehicles and Open Carry local ordinances, resolutions, or regulations** are null and void and may not be enforced as of July 1, 2014. The loaded firearms in vehicles provisions in KSA 12-16,124 allowing local regulation of the manner of transporting of a firearm in a vehicle was stricken. Effectively, this likely eliminates any local ordinances, resolutions or regulation of loaded firearms in vehicles as well as open carry of firearms. ([HB2578](#)§7 amending KSA 12-16,124 and 21-5904)
5. **Firearms Open Carry in Posted Buildings** is prohibited anywhere concealed carry is prohibited. In addition, a new posting will be created for those places to post that want to allow concealed carry but prohibit open carry. ([HB2578](#)§5 creates new statute)
6. **Possession of a Firearm while Intoxicated** now applies to open carry and concealed carry. Exceptions for self-defense and on the person’s own property are included. The existing statute, KSA 75-7c12, which applied only to CCH permit holders is repealed. A new statute is created which is supposed to go into the criminal code. .08 is presumptive intoxication. Test refusal can be used in the criminal trial. Test refusal carries a civil penalty of \$1000. The refusal is part of the criminal case and cannot be pursued without the criminal charge. The testing process was reworked and is the same as the DUI process except all references to the motor vehicle related requirements are removed. ([HB2578](#)§6 creating a new statute)
7. **Child in Need of Care:** No child alleged or found to be a child in need of care may be placed in a juvenile detention facility unless: (1) Necessary to protect the safety of the child and is authorized by subsection (b) of K.S.A. 2013 Supp. 38-2232, 38-2242, 38-2243 or 38-2260; or (2) the child is also alleged to be a juvenile offender and such placement is authorized by K.S.A. 38-2330 or 38-2343. ([HB2588](#)§2, creates a new statute.)

8. **Electronic Crimes:** The law has changed regarding the jurisdiction in which certain electronic crimes may be prosecuted. The bill defines “crime committed with an electronic device” by specifying the applicable crimes are: Criminal use of a financial card, 21-5828; unlawful acts concerning computers, 21-5839; identity theft and identity fraud, 21-6107; and electronic solicitation, 21-5509. Those crimes may be prosecuted in the county where: 1) the victim resides; 2) the victim was present at the time of the crime; 3) the property gained by the crime was obtained or attempted to be obtained, or 4) any requisite act to the commission of the crime occurred. These venues are available in addition to any venue available under other provisions of law. ([HB2478](#), creates a new statute.)
9. **Juvenile Statute of Limitations:** Prosecution of a juvenile may commence at any time (no statute of limitation) for rape, aggravated criminal sodomy, capital murder, terrorism, or illegal use of weapons of mass destruction, the same as for an adult. For sexually violent crimes, prosecution may commence within 10 years if the victim is age 18 or older; and within 10 years of the victims 18th birthday if the victim is less than 18 years old. The existing law on commencing prosecution beyond the statute of limitations but within one year of a DNA match to the suspect also applies. Definitions are provided in the statute describing when prosecution commences and when the limitation period starts. These are the same statute of limitations as for adults. ([SB329](#)§1, amends KSA 38-2303.)
10. **The Newborn Infant Protection Act** is amended to include police stations, sheriff’s offices and law enforcement centers. Protects disclosure of the name or other identifiable information of a parent or custodian who voluntarily surrenders physical custody of an infant under the Newborn Infant Protection Act, unless there was reasonable suspicion the infant has been abused. Protects the person or facility receiving the infant from civil and criminal liability for any action taken under the Act. The parent or custodian would not be required to reveal personally identifiable information, but could offer information concerning the infant’s familial or medical history. Clarifies the person or facility to whom an infant is delivered would be prohibited from revealing the name or other identifiable information of the person who delivered the infant, unless there was reasonable suspicion the infant has been abused. ([HB2577](#), amends KSA 38-2282.)

MORE INFORMATION ON THESE AND OTHER LEGISLATIVE ACTIONS IS AVAILABLE AT:  
<http://www.KsLawEnforcementInfo.com/2014-session.html>

**Always follow the guidance of your agency for application and implementation of new and amended laws.** The author is not an attorney and this document is not legal advice. It is a summary of the legislation based on observations and discussions during the legislative process. **Questions should be addressed within your agency following your agency’s protocol.**

Prepared by: Ed Klumpp, legislative liaison, Kansas Association of Chiefs of Police, Kansas Sheriff’s Association, and Kansas Peace Officers Association

# 2014 LAW ENFORCEMENT RELATED LEGISLATION

## LINE OFFICER REPORT

### SIGNED LAW - SORTED INTO CATEGORIES

Monday, June 30, 2014

Prepared by Ed Klumpp

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Criminal Law

Criminal Law

**False Alarm** 8

[HB2655](#) 2014 Session Law Chapter: [95](#) [HB2655 NOTE](#) [HB2655 Summary](#)

Effective Date [7/1/2014](#)

Statutes Changed [21-6207](#)

**Detail** Amends the crime of giving a false alarm to include electronically concealing identity, a SL10 felony and falsely reporting a violent criminal activity or immediate threat to a person's life or safety is taking place ("Swatting" events), a SL7 felony.

**False Complaint Against a LEO** 141

[HB2655](#) 2014 Session Law Chapter: [95](#) [HB2655 NOTE](#) [HB2655 Summary](#)

Effective Date [7/1/2014](#)

Statutes Changed [21-5904](#)

**Detail** Clarifies it is a crime to knowingly making a false accusation of officer of misconduct. This is a new subsection to KSA 21-5904, Interference with Law Enforcement. The penalty is a SL8 NP felony if it is falsely alleged the officer committed a felony and a Class A NP misdemeanor for all other allegations.

**Interference with Judicial Process** 56

[HB2448](#) 2014 Session Law Chapter: [102](#) [HB2448 NOTE](#) [HB2448 Summary](#)

Effective Date [7/1/2014](#)

Statutes Changed [21-5905](#)

**Detail** It is a class A misdemeanor to knowingly release personal information about a judge or the judge's immediate family member, when the person releasing the information knows or reasonably should have known the release poses an imminent and serious threat to the judge's safety or the safety of such judge's immediate family member. A second or subsequent conviction is a SL9 person felony. "Personal information" is defined as a judge's home address or telephone number; personal mobile telephone or pager number; personal e-mail address; a photo of the judge, an immediate family member, or the judge's home or motor vehicle; or an immediate family member's motor vehicle, place of employment, child care or day care facility, or public or private K-12 school.

**Criminal Law**

**Interference with Law Enforcement** 7

[HB2655](#) 2014 Session Law Chapter: [95](#) [HB2655 NOTE](#) [HB2655 Summary](#)

Effective Date 7/1/2014

Statutes Changed 21-5904

**Detail** Amends the crimes of interference with law enforcement to 1) fix problem created unintentionally when amended last year which dropped provisions for interfering with noncriminal matters and infraction investigations and 2) clarify it includes falsely accusing an officer of misconduct.

**Medicaid Fraud** 24

[SB271](#) 2014 Session Law Chapter: [89](#) [SB271 NOTE](#) [SB271 Summary](#)

Effective Date 7/1/2014

Statutes Changed 21-5926, 21-5927, 21-5933, 75-7508

**Detail** Adds the intentional scheme to defraud Medicaid or any Medicaid contractor or subcontractor to the definition of the crime; For each count the SL is based on the aggregate amount of payments illegally claimed. For loss of 1) \$250,000 or more, SL3 nonperson felony; 2) over \$100,000, less than \$250,000, SL5 nonperson felony; 3) over \$25,000, less than \$100,000, SL7 nonperson felony; 4) over \$1,000, less than \$25,000, SL9 nonperson felony; 5) Less than \$1,000, A nonperson misdemeanor. An illegal claim resulting in great bodily harm to another person is a SL4 person felony; an illegal claim resulting in death is a SL1 person felony. An act or omission resulting in a Medicaid recipient receiving a lesser quality or amount of service than the recipient was entitled to can be considered as aggravating factor. A person violating these laws may also be prosecuted for any form of battery or homicide. Imposes a fine of \$1,000 to \$11,000 per violation of the act. Includes several technical amendments.

**Mistreatment of Dependent Adult** 17

[SB256](#) 2014 Session Law Chapter: [90](#) [SB256 NOTE](#) [SB256 Summary](#)

Effective Date 7/1/2014

Statutes Changed 21-5417

**Detail** The crime of taking unfair advantage of a dependent adult's resources through the wrongful taking of personal property or financial resources for the benefit of the defendant or another person by taking control, title, use, or management of personal property or financial resources by a prohibited method, influences or without adequate consideration, by a violation of the Kansas, or a violation of the Kansas Uniform Trust Code. Defines "adequate consideration" as personal property or financial resources given to the person as payment for bona fide goods or services provided by such person and the payment was at a rate customary for similar goods or services in the community that the dependent adult or elder person resided in at the time of the transaction.



**Criminal Law**

**Mistreatment of Elder person** 145

[SB256](#) 2014 Session Law Chapter: [90](#) [SB256 NOTE](#) [SB256 Summary](#)

Effective Date [7/1/2014](#)

Statutes Changed [21-5417](#)

**Detail** Creates the crime “mistreatment of an elder person,” which could be committed an act not involving infliction of physical injury, unreasonable confinement, or unreasonable punishment. Defines “elder person,” as a person 70 years of age or older. Penalties for mistreatment of an elder person and mistreatment of a dependent adult are the same except: 1) Taking of property or resources valued at least \$5,000 but less than \$25,000 would be a severity level 7, person felony; 2) First offense for taking of property or resources valued less than \$5,000 is a class A person misdemeanor, and a SL7 Person felony with two or more convictions in the past five years. For mistreatment of a dependent adult the penalties are SL7 person felony for values from \$1,000 to \$25,000 and class A misdemeanor for values less than \$1,000, or a SL7 person felony if there are two or more convictions in the last 5 years. 3) Establishes an affirmative defense if the property or resources were given as a gift consistent with a pattern of gift giving before the victim became vulnerable, that the property or resources were conferred as a gift to the benefit of a person or class of persons and was reasonable under the circumstances, or that a court approved the transaction. Defines “adequate consideration” as personal property or financial resources given to the person as payment for bona fide goods or services provided by such person and the payment was at a rate customary for similar goods or services in the community that the dependent adult or elder person resided in at the time of the transaction.

**Sexual Relations, Unlawful** 63

[SB256](#) 2014 Session Law Chapter: [90](#) [SB256 NOTE](#) [SB256 Summary](#)

Effective Date [7/1/2014](#)

Statutes Changed [21-5512](#)

**Detail** It is a SL5 person felony under the unlawful sexual relations statute for a surety or an employee of a surety to engage in sexual relations with a person at least 16 years of age and the offender knows is under a surety or bail bond agreement with their surety.

**Terrorism, Criminal** 143

[HB2463](#) 2014 Session Law Chapter: [51](#) [HB2463 NOTE](#) [HB2463 Summary](#)

Effective Date [7/1/2014](#)

Statutes Changed [21-5423](#)

**Detail** Amends the statute defining the crime of furtherance of terrorism or illegal use of weapons of mass destruction to include raising, soliciting, collecting, or providing material support or resources with the intent that they will be used to plan, prepare, carry out, or aid in the crime of terrorism or the crime of illegal use of weapons of mass destruction, the hindering of the prosecution of these crimes, or the concealment of or escape from any of these crimes.

**Criminal Investigation**

**Criminal Investigation**

**Electronic Crimes** 31

[HB2478](#) 2014 Session Law Chapter: [32](#) [HB2478 NOTE](#) [HB2478 Summary](#)

Effective Date 7/1/2014

Statutes Changed New (KSA 22-2619)

**Detail** Allows a prosecution for any crime committed with an electronic device to be brought in the county where: 1) the victim resides; 2) the victim was present at the time of the crime; 3) the property gained by the crime was obtained or attempted to be obtained, or 4) any requisite act to the commission of the crime occurred. These venues are available in addition to any venue available under other provisions of law. The bill defines “crime committed with an electronic device” and specifies the applicable crimes are: Criminal use of a financial card, 21-5828; unlawful acts concerning computers, 21-5839; identity theft and identity fraud, 21-6107; and electronic solicitation, 21-5509.

**Venue of Crimes Committed with Electronic Devices** 30

[HB2478](#) 2014 Session Law Chapter: [32](#) [HB2478 NOTE](#) [HB2478 Summary](#)

Effective Date 7/1/2014

Statutes Changed New (KSA 22-1619)

**Detail** Allows a prosecution for any crime committed with an electronic device to be brought in the county where: 1) the victim resides; 2) the victim was present at the time of the crime; 3) the property gained by the crime was obtained or attempted to be obtained, or 4) any requisite act to the commission of the crime occurred. These venues are available in addition to any venue available under other provisions of law. The bill defines “crime committed with an electronic device” and specifies the applicable crimes are: Criminal use of a financial card, 21-5828; unlawful acts concerning computers, 21-5839; identity theft and identity fraud, 21-6107; and electronic solicitation, 21-5509.

**Criminal Investigation**

**Warrant affidavits** 11

[HB2389](#) 2014 Session Law Chapter: [139](#) [HB2389 NOTE](#) [HB2389 Summary](#)

Effective Date 7/1/2014

Statutes Changed 22-2302; 22-2502

**Detail** Arrest and Search Warrant affidavits are opened to public upon request to the court. The prosecutor (law enforcement only has input through the prosecutor's office) may request the court to seal or redact the affidavit within 5 business days of the request. The defense may also request the court to seal or redact the affidavit. The court then has 5 business days to open, seal or redact the affidavit. The affidavit may be sealed or redacted if the protected information would: 1) Jeopardize the safety or well being of a victim, witness, confidential source or undercover agent; 2) cause the destruction of evidence; reveal information obtained from a court-ordered wiretap or from a search warrant for a tracking device that has not expired; 3) interfere with any prospective law enforcement action, criminal investigation or prosecution; 4) reveal the identity of any confidential source or undercover agent; 5) reveal confidential investigative techniques or procedures not generally known by the public; 6) endanger the life or physical safety of any person; 7) reveal the name, address, phone number or any other information which specifically and individually identifies the victim of any sexual offense described in article 55 of chapter 21 of KSA, or of KSA 21-6419 through 21-6422; 8) reveal the name of any minor; or 9) reveal any date of birth, personal telephone number; driver's license number; nondriver's license identification number; social security number, employee identification number; taxpayer identification number; vehicle identification number; or financial account information.

**Juveniles**

**Alternative adjudication** 21

[HB2588](#) 2014 Session Law Chapter: [126](#) [HB2588 NOTE](#) [HB2588 Summary](#)

Effective Date 7/1/2014

Statutes Changed New (KSA 38-2389)

**Detail** Establishes an alternative adjudication procedure for misdemeanor juvenile offenses. Allows a county or district attorney to designate the alleged misdemeanor offender for the alternative adjudication either through the original complaint or by written notice within 14 days of filing the complaint. Filing of a written application for diversion would toll the running of the 14-day period and resume upon written denial of diversion. Exceptions are provided for such alternate adjudication.

**CINC: Incarceration** 126

[HB2588](#) 2014 Session Law Chapter: [126](#) [HB2588 NOTE](#) [HB2588 Summary](#)

Effective Date 7/1/2014

Statutes Changed New (KSA 38-2288)

**Detail** No child alleged or found to be a child in need of care may be placed in a juvenile detention facility unless: (1) Necessary to protect the safety of the child and is authorized by subsection (b) of K.S.A. 2013 Supp. 38-2232, 38-2242, 38-2243 or 38-2260; or (2) the child is also alleged to be a juvenile offender and such placement is authorized by K.S.A. 38-2330 or 38-2343.

**Juveniles**

**Parents participation in programs** 16

[SB329](#) 2014 Session Law Chapter: [123](#) [SB329 NOTE](#) [SB329 Summary](#)

Effective Date 7/1/2014

Statutes Changed 38-2362

Detail Courts are allowed to require parents to participate in any evidence based program designed to rehabilitate the juvenile, including, but not limited to those already in law.

**Statute of Limitations for Juveniles** 78

[SB329](#) 2014 Session Law Chapter: [123](#) [SB329 NOTE](#) [SB329 Summary](#)

Effective Date 7/1/2014

Statutes Changed 38-2303

Detail Prosecution of a juvenile may commence at any time (no statute of limitation) for rape, aggravated criminal sodomy, capital murder, terrorism, or illegal use of weapons of mass destruction, the same as for an adult. For sexually violent crimes, prosecution may commence within 10 years if the victim is age 18 or older; and within 10 years of the victims 18th birthday if the victim is less than 18 years old. The existing law on commencing prosecution beyond the statute of limitations but within one year of a DNA match to the suspect also applies. Definitions are provided in the statute describing when prosecution commences and when the limitation period starts.

**Firearms/Weapons**

**Felons: Criminal Possession by Convicted Felon** 102

[HB2578](#) 2014 Session Law Chapter: [97](#) [HB2578 NOTE](#) [HB2578 Summary](#)

Effective Date 7/1/2014

Statutes Changed 21-6304

Detail Some cleanup to include the convictions under the old drug crimes was added and the statute is expanded to include possession of certain knives by convicted felons as well. The prohibited knives include dagger, dirk, switchblade, stiletto, straight-edge razor or any other dangerous or deadly cutting instrument of like character.

**Firearms: Employee with CCH Permit** 95

[HB2578](#) 2014 Session Law Chapter: [97](#) [HB2578 NOTE](#) [HB2578 Summary](#)

Effective Date 7/1/2014

Statutes Changed New (KSA 75-7c23)

Detail Government employees who possess CCH permits are not required to reveal to their employer if they have a permit even if they are in possession of a firearm at the workplace. An employer is not prohibited from asking and the employee may choose to answer, but an employee cannot be terminated or otherwise disciplined for not revealing they have a permit. Employers are granted liability immunity for the acts of any employee carrying a firearm in the workplace. NOTE: After HB2578 was signed by the Governor, HB2140 was passed amending the liability provisions in section 4 by exempting acts by employees who are required to possess a firearm in their normal course of duties.

**Firearms/Weapons**

**Firearms: Intoxication** 97

[HB2578](#) 2014 Session Law Chapter: [97](#) [HB2578 NOTE](#) [HB2578 Summary](#)

Effective Date [7/1/2014](#)

Statutes Changed [New \(KSA 21-6332\); and repeals 75-7c12](#)

Detail The carrying while intoxicated provisions were amended to include open carry while intoxicated. Carrying while intoxicated is a class A misdemeanor. The testing procedures were also cleaned up.

**Firearms: Juveniles** 105

[HB2578](#) 2014 Session Law Chapter: [97](#) [HB2578 NOTE](#) [HB2578 Summary](#)

Effective Date [7/1/2014](#)

Statutes Changed [21-6301](#)

Detail KSA 21-6301 (k) provides several exemptions for juveniles possessing firearms with a barrel under 12 inches long. Added to those exemptions is the private range of another "with permission of such person's parent or guardian."

**Firearms: Off-Duty and LEOSA Qualified Officers** 98

[HB2140](#) 2014 Session Law Chapter: [134](#) [HB2140 NOTE](#) [HB2140 Summary](#)

Effective Date [7/1/2014](#)

Statutes Changed [New \(KSA 75-7c22\); and 21-6302; 21-6309; 75-7c10; 75-7c20](#)

Detail Allows in-state off-duty and retired law enforcement officers, as well as out-of-state law enforcement officers and retired law enforcement officers, who meet the requirements of the federal Law Enforcement Officers Safety Act, to carry a concealed handgun in any building where an on-duty law enforcement officer would be authorized to carry a concealed handgun. The bill would allow these active and retired officers to carry concealed handguns in buildings prohibiting the concealed carry of firearms and conforming to the security and signage requirements of the provisions in KSA 75-7c10 or 75-7c20. These provisions only apply for off-duty officers if they are in compliance with their agency's policies on off-duty carry. The above provisions would not apply to buildings where the possession of firearms was prohibited or restricted by order of the chief judge of a judicial district or by federal law or regulation. The provisions also would not apply to any officer or retired officer who was denied a conceal carry handgun license or whose concealed carry handgun license had been suspended or revoked under the provisions of the Personal and Family Protection Act. Officers carrying concealed under this bill are required to possess identification as required by their agency or LEOSA, and must present such identification when requested by other law enforcement officers or persons of authority for the building where they are carrying concealed.

**Firearms: Open Carry** 96

[HB2578](#) 2014 Session Law Chapter: [97](#) [HB2578 NOTE](#) [HB2578 Summary](#)

Effective Date [7/1/2014](#)

Statutes Changed [12-16,124](#)

Detail Local governments are prohibited from regulating in any manner the open carry of firearms. Open carry is prohibited in any place where concealed carry is prohibited. Additionally, the AG will produce a new sign that may be used to prohibit open carry of firearms in buildings where concealed carry is permitted.

**Firearms/Weapons**

**Knives** 99

[HB2578](#) 2014 Session Law Chapter: [97](#) [HB2578 NOTE](#) [HB2578 Summary](#)

Effective Date [7/1/2014](#)

Statutes Changed [12-16,134; 75-7c20](#)

**Detail** Local governments cannot enforce any local regulations on knives and all current ordinances, regulations, or resolutions are null and void. Anyone convicted or placed on diversion for such crimes since July 1, 2013, may petition to have their conviction or diversion expunged. KSA 75-7c20 is clarified stating the "weapons" that can be prohibited at the security screening in buildings excludes "any cutting instrument that has a sharpened or pointed blade." Therefore, those weapons are not required to be excluded from the buildings. There is debate about whether the law requires such knives to be allowed into the buildings. Consult with your legal staff for further interpretation.

**Weapons, Criminal Use** 100

[HB2578](#) 2014 Session Law Chapter: [97](#) [HB2578 NOTE](#) [HB2578 Summary](#)

Effective Date [7/1/2014](#)

Statutes Changed [21-6301](#)

**Detail** The provisions in KSA 21-6301 dealing with possession of dangerous knives with the intent to use the knife unlawfully on another is restored. This provision was removed last year.

**Weapons: Disposition of seized** 104

[HB2578](#) 2014 Session Law Chapter: [97](#) [HB2578 NOTE](#) [HB2578 Summary](#)

Effective Date [7/1/2014](#)

Statutes Changed [22-2512; 32-1047](#)

**Detail** Weapons or ammunition seized by law enforcement can not be destroyed unless the weapon is in a poor condition rendering it not eligible for other disposition or if the weapon was used in a murder. Other weapon may be disposed of by 1) Forfeiture to the law enforcement agency seizing the weapon for use within the agency or to be sold to a licensed firearm dealer; 2) forfeited to the KBI Lab; 3) forfeited to a local county operated forensic lab; 4) forfeited to the Department of Wildlife, Parks and Tourism for use in firearms training. Weapons seized from a person who is not convicted of the crime must be returned to the person from whom the weapon was seized unless the person is prohibited from possessing such weapon or if the weapon is stolen. The agency is required to provide notice to the person the weapon is to be released to. The agency action is to be taken within 30 days of the declination of charges or final disposition of the case. The money from any seized weapon the agency sells must go into the asset seizure and forfeiture fund of the seizing agency.

**Drug Enforcement**

**Drug Enforcement**

**Drug Schedules** 6

[HB2298](#) 2014 Session Law Chapter: [79](#) [HB2298 NOTE](#) [HB2298 Summary](#)

Effective Date 7/1/2014

Statutes Changed 65-4105, 65-4109 and 65-4111

**Detail** Adds 14 hallucinogenic drugs, two classes of cannabinoids, and a cannabinoid class name to schedule I; two anabolic steroids to schedule III; and lorcaserin to schedule IV. These are new chemicals and compounds being found in new synthetic drugs. Codifies drugs the Board of Pharmacy has found dangerous under emergency procedures.

**Traffic**

**Attempt to Elude** 32

[HB2442](#) 2014 Session Law Chapter: [76](#) [HB2442 NOTE](#) [HB2442 Summary](#)

Effective Date 7/1/2014

Statutes Changed 8-1568, 21-6804

**Detail** Third or subsequent violation of fleeing or eluding are presumptive imprisonment and must be served consecutively to any associated sentence. Also specifies how first, second, third conviction is determined and whether an offense occurred before or after conviction for a previous offense is irrelevant. The bill also reorganizes the sentencing provisions of KSA 8-1568.

**Commercial Vehicle: Intrastate 26M or less** 119

[SB273](#) 2014 Session Law Chapter: [137](#) [SB273 NOTE](#) [SB273 Summary](#)

Effective Date 7/1/2014

Statutes Changed

**Detail** Allows commercial motor vehicles with a gross vehicle weight, gross vehicle weight rating, gross combination weight, or gross combination weight rating of 26,000 pounds or less operating in intrastate commerce to operate without having to obtain any certificate, license, or permit from the KCC. Those vehicles are also exempt from intrastate CMV safety regulations except for load securement regulations and periodic inspection regulations. Law enforcement officers would be required to issue warning citations regarding load securement until October 1, 2014, and regarding periodic inspection until July 1, 2015. CMVs of 26,000 pounds or less which are designed or used to transport 16 or more passengers, including the driver, or vehicles used to transport hazardous materials which require a placard would continue to be subject to the certificate, license, or permit requirement and the intrastate CMV safety regulations. These provisions expire on July 1, 2015.

**Commercial Vehicles: Tank Vehicles** 35

[HB2724](#) 2014 Session Law Chapter: [59](#) [HB2724 NOTE](#) [HB2724 Summary](#)

Effective Date 7/1/2014

Statutes Changed 8-2,128

**Detail** Amends the definition of "tank vehicle" in the Uniform Commercial Driver's License Act to conform to the definition in 49 CFR §383.5, a federal rule and regulation related to commercial drivers' licenses. The change is expected to have no effect on which drivers will be required to have commercial drivers' licenses.

Traffic

**Farm machinery and equipment** 4

[HB2715](#) 2014 Session Law Chapter: [14](#) [HB2715 NOTE](#) [HB2715 Summary](#)

Effective Date [7/1/2014](#)

Statutes Changed [New \(8-1918\); 8-2,127; 8-1911](#)

**Detail** An implement dealer with a permit for an oversize or overweight vehicle is allowed to move or transport farm tractors, implements of husbandry, combines, fertilizer dispensing equipment, or other farm machinery on certain highways in Kansas. An annual permit is available to an implement dealer. An implement dealer could use a single-trip permit for this purpose. Certain conditions related to load size apply, trips are restricted to daylight hours, and could not use any highway that is part of the National System of Interstate and Defense Highways. Equipment or machinery may be moved on a trailer or semi-trailer, pinned to a truck or truck tractor and traveling on its own wheels, or under its own power. An implement dealer or employee may move farm machinery when towing such machinery behind a farm tractor within a 100-mile radius of the implement dealer's place of business when both the farm tractor and the equipment or machinery are equipped with flashing lights on both the front and rear. A slow-moving vehicle emblem is required on any machinery moved at speeds less than 25 mph. An "implement dealer" is a person or business that buys, sells, or services farm tractors, implements of husbandry, or other farm machinery in the regular course of business. NOTE: The provisions of Section 1 amending KSA 8-1911 was further amended in HB2143 section 1.

**Handicap permits** 36

[HB2727](#) 2014 Session Law Chapter: [35](#) [HB2727 NOTE](#) [HB2727 Summary](#)

Effective Date [7/1/2014](#)

Statutes Changed [8-1,125](#)

**Detail** Changes the way eligibility is determined for renewal of handicap tags and placards. Instead of being required every three years the rules in 23 CFR 1235.4 will apply which mandates a periodic renewal of placards and tags. The intent is to simplify the process with the use of technology. Look for more detail to be developed in Kansas Administrative Regulations.

**Hay Haulers** 109

[SB344](#) 2014 Session Law Chapter: [74](#) [SB344 NOTE](#) [SB344 Summary](#)

Effective Date [4/24/2014](#)

Statutes Changed [66-1344](#)

**Detail** Requires a vehicle exceeding width or length limitations to display an "oversize load" sign at least 7' long and 18" high, with letters at least 10" high and 1.4" brush stroke; visible from a distance of 500 feet; removed when the vehicle or load no longer exceeds restrictions; and must also use red flags on all four corners of the oversize load. Also specifies restrictions related to times and weather conditions for such vehicles and for hay transporters exceeding width or length limitations to prohibit operation 30 minutes after sunset to 30 minutes before sunrise, when visibility is less than one-half mile, or when highway surfaces have ice or snow pack or driving snow. If the vehicle only exceeds weight limitations and not size limitations, they are permitted to operate 24 hours a day except when highway surfaces have ice or snow pack or drifting snow.



Traffic

**Oversize Vehicle** 33

[SB344](#) 2014 Session Law Chapter: [74](#) [SB344 NOTE](#) [SB344 Summary](#)

Effective Date [4/24/2014](#)

Statutes Changed [8-1911, 66-1344](#)

**Detail** Requires a vehicle exceeding width or length limitations to display an "oversize load" sign at least 7' long and 18" high, with letters at least 10" high and 1.4" brush stroke; visible from a distance of 500 feet; removed when the vehicle or load no longer exceeds restrictions; and must also use red flags on all four corners of the oversize load. Also specifies restrictions related to times and weather conditions for such vehicles and for hay transporters exceeding width or length limitations to prohibit operation 30 minutes after sunset to 30 minutes before sunrise, when visibility is less than one-half mile, or when highway surfaces have ice or snow pack or driving snow. If the vehicle only exceeds weight limitations and not size limitations, they are permitted to operate 24 hours a day except when highway surfaces have ice or snow pack or drifting snow. NOTE: The provisions of Section 1 amending KSA 8-1911 was further amended in HB2143 section 1.

**Registration plates: Specialty** 38

[HB2452](#) 2014 Session Law Chapter: [77](#) [HB2452 NOTE](#) [HB2452 Summary](#)

Effective Date [7/1/2014](#)

Statutes Changed [8-161, 8-1,141](#)

**Detail** New personalized tags: 1) Donate Life, sponsored by the Midwest Transplant Network, for passenger vehicles, small trucks, and motorcycles; 2) Kansas Horse Council, sponsored by that organization, for passenger vehicles, trailers, and small trucks; and 3) Rotary International, sponsored by that organization, for passenger vehicles and small trucks. The bill would add motorcycles to the types of vehicles for which a qualified person could obtain a disabled veteran license plate. Authorizes production of distinctive license plates for motorcycles at the request of the sponsoring organization for any distinctive license plate. A member of the armed forces stationed in Kansas and eligible for a regular Kansas license plate, but who maintains official residency in another state, is eligible for a distinctive license plate.

**School Crossing Guards** 37

[HB2420](#) 2014 Session Law Chapter: [60](#) [HB2420 NOTE](#) [HB2420 Summary](#)

Effective Date [4/24/2014](#)

Statutes Changed [8-1,125](#)

**Detail** Allows any township in Johnson County to appoint and equip volunteers and certain employees as school crossing guards. Currently, only school districts, nonpublic schools, cities, and counties are authorized to provide school crossing guard services. Authorizes who can provide training to designated employees as school crossing guards. Allows contracts with private providers for school crossing guard services.

Criminal Procedure

**Criminal Procedure**

**Bond Agents: Out of state** 65

[SB256](#) 2014 Session Law Chapter: [90](#) [SB256 NOTE](#) [SB256 Summary](#)

Effective Date [7/1/2014](#)

Statutes Changed [22-2809a](#)

**Detail** An out-of-state surety or agent of a surety from out of state must contract with a Kansas surety or agent of a surety, and be accompanied by the Kansas surety or agent before attempting to apprehend and during the apprehension of a person in Kansas.

**Bonds: Surety vs. OR** 64

[SB256](#) 2014 Session Law Chapter: [90](#) [SB256 NOTE](#) [SB256 Summary](#)

Effective Date [7/1/2014](#)

Statutes Changed [21-5703](#); [21-5709](#); [21-5710](#); [21-6316](#); [21-6329](#)

**Detail** Amends bail provisions for certain drug offenses that require a \$50,000 or higher cash or surety to allow a person to be released on an OR bond only if the court determines, on the record, that the defendant is not likely to reoffend, the court imposes pretrial supervision, or the defendant agrees to participate in a licensed or certified drug treatment program. Similar changes are made for bail under the criminal street gang and RICO statutes allowing an OR bond only if the court determines the defendant is not likely to reoffend, an appropriate intensive pretrial supervision program is available, and the defendant agrees to comply with the mandate of such pretrial supervision.

**DNA Collection Methods at Time of Arrest** 55

[HB2448](#) 2014 Session Law Chapter: [102](#) [HB2448 NOTE](#) [HB2448 Summary](#)

Effective Date [7/1/2014](#)

Statutes Changed [21-2511](#)

**Detail** Removes references to drawing blood which updates the law to the current mouth swab collection technique. If the person's DNA sample was not properly obtained, the person would be required to provide another sample. A sample collected by a law enforcement agency or juvenile justice agency in substantial compliance with the provisions of the bill, or any evidence based upon or derived from such sample, could not be excluded as evidence in any criminal proceeding on the basis that the sample was not validly obtained. Any person required to register as an offender pursuant to the Kansas Offender Registration Act is required to submit a sample. Clarifies a person is required to submit a sample when arrested for or charged with lewd and lascivious behavior only if the crime was committed in the presence of a person 16 or more years of age. A person arrested for buying sexual relations is required to submit a sample only if the offender is less than 18 years of age. Makes it a class A nonperson misdemeanor for a person who has possession of or access to samples or profile records maintained by the KBI due to such person's employment or official position to disseminate such samples or records except in strict accordance with applicable laws, or for a criminal justice agency to request profile records without a legitimate need for such records. A conviction under these provisions would constitute good cause for termination or licensure revocation or suspension.

**Criminal Procedure**

**Human Trafficking** 28

[HB2501](#) 2014 Session Law Chapter: [28](#) [HB2501 NOTE](#) [HB2501 Summary](#)

Effective Date [7/1/2014](#)

Statutes Changed [12-4106, 12-4416, 21-6421, 21-6422, 22-2909, 22-4704, 65-535](#)

**Detail** Requires municipal courts to report dispositions of buying sexual relations and selling sexual relations to the Kansas Bureau of Investigation (KBI) Central Repository (electronic reporting required after July 1, 2014) . All diversion agreements (district and municipal courts) for buying sexual relations, require the payment of the minimum fine imposed for a conviction of this crime. Requires diversions to include a requirement for completion of a suitable educational or treatment program regarding commercial sexual exploitation. There is a limit of one diversion per lifetime. To determine if a conviction of buying sexual relations is a first, second, or subsequent conviction, previous convictions include state law, local ordinance, or diversion for a violation are counted. Directs the KBI to adopt rules and regulations by July 1, 2014, requiring district courts to electronically report filings and dispositions of human trafficking, aggravated human trafficking, selling sexual relations, promoting the sale of sexual relations, buying sexual relations, or commercial sexual exploitation of a child, to the KBI Central Repository. Also eliminates specific requirements related to law enforcement observation of staff secure facility entrances and exits. Technical amendments to statutory references and a treatment program provision.

**Speedy Trial** 115

[HB2389](#) 2014 Session Law Chapter: [139](#) [HB2389 NOTE](#) [HB2389 Summary](#)

Effective Date [7/1/2014](#)

Statutes Changed [22-3402](#)

**Detail** Raises speedy trial deadline from 90 days to 150 days after arraignment.

**Alcohol**

**Farm winery tastings** 111

[HB2223](#) 2014 Session Law Chapter: [75](#) [HB2223 NOTE](#) [HB2223 Summary](#)

Effective Date [4/24/2014](#)

Statutes Changed [41-308d](#)

**Detail** Adds farm winery license holders to those who can have "tastings" or provide samples of their products.

**Homemade fermented beverages** 34

[HB2223](#) 2014 Session Law Chapter: [75](#) [HB2223 NOTE](#) [HB2223 Summary](#)

Effective Date [4/24/2014](#)

Statutes Changed [41-104](#)

**Detail** Allows providing homemade fermented beverages to guests and judges at a beverage related contest or competition. No compensation to the producer is allowed. A "guest" is a person invited to the event by the host.

**Alcohol**

**Licensee qualifications** 112

[HB2223](#) 2014 Session Law Chapter: [75](#) [HB2223 NOTE](#) [HB2223 Summary](#)

Effective Date [4/24/2014](#)

Statutes Changed [41-311](#)

Detail Modifies the liquor control act citizenship requirement for licensing to only require U.S. citizenship without the 10 years citizenship previously required.

**Offender Registration**

**Human Trafficking** 121

[HB2143](#) 2014 Session Law Chapter: [117](#) [HB2143 NOTE](#) [HB2143 Summary](#)

Effective Date [7/1/2014](#)

Statutes Changed [22-4902](#)

Detail Amends the definition of "Sexually Violent Crime" as used in the registered offender act (KSA 22-4902) by adding Aggravated Human Trafficking, KSA 21-3447 or KSA 21-5426 subsection (b), when committed for the purpose of sexual gratification of the defendant or another and Commercial Sexual Exploitation of a Child, KSA 21-6422. Also made some technical amendments to the definition of "sex offender" as it pertains to the crimes of promoting prostitution or patronizing a prostitute prior to July 1, 2013, see subsections (b)(4)(C) and (D). Makes several technical amendments in KSA 22-4906 and adds the crime of commercial exploitation of a child to the list of crimes requiring lifetime registration.

**KPERS**

**2015 Plan Revisions** 40

[HB2533](#) 2014 Session Law Chapter: [29](#) [HB2533 NOTE](#) [HB2533 Summary](#)

Effective Date [7/1/2014](#)

Statutes Changed [74-49,306](#); [74-49,308](#); [74-49,313](#)

Detail Amends KPERS 2015 plan by changing interest credit to members from 5.25% to 4% and creates a formula for KPERS to determine if a higher amount can be paid and caps the interest payments to 1.5% for 2015-2018; changes monthly benefit from 6% return and mortality tables to the KPERS actuarial rate of return minus 2%, which currently would be 6%.

**Other**

**Blue Alert** 22

[HCR502](#) 2014 Session Law Chapter: [147](#) [HCR5029 NOTE](#) [HCR5029 Summary](#)

Effective Date [7/1/2014](#)

Statutes Changed [None](#)

Detail Requests AG/KBI to establish Blue Alert Program in Kansas by working with law enforcement and other interested parties. The Blue Alert will likely use most of the features and available information sources of an Amber Alert, but is used when there is a death or serious injury to a law enforcement officer, the suspect is not apprehended, and substantial information such as vehicle description can be provided to the public to help facilitate the suspects capture.

Other

<b>Bond Agents: Felons Disqualified</b>				19
<a href="#">SB256</a>	2014 Session Law Chapter:	<a href="#">90</a>	<a href="#">SB256 NOTE</a>	<a href="#">SB256 Summary</a>
Effective Date	7/1/2014			
Statutes Changed	22-2809a			
Detail	A person convicted of any felony (lifetime look back) are prohibited from acting as a surety or as an agent of a surety.			
<b>Infants: Newborn infant protection act</b>				44
<a href="#">HB2577</a>	2014 Session Law Chapter:	<a href="#">70</a>	<a href="#">HB2577 NOTE</a>	<a href="#">HB2577 Summary</a>
Effective Date	7/1/2014			
Statutes Changed	38-2282			
Detail	Expands the places where an infant may be voluntarily surrendered to include police stations, sheriffs offices, and law enforcement centers. Protects disclosure of the name or other identifiable information of a parent or custodian who voluntarily surrenders physical custody of an infant under the Newborn Infant Protection Act, unless there was reasonable suspicion the infant has been abused. Protects the person or facility receiving the infant from civil and criminal liability for any action taken under the Act. The parent or custodian would not be required to reveal personally identifiable information, but could offer information concerning the infant's familial or medical history. Clarifies the person or facility to whom an infant is delivered would be prohibited from revealing the name or other identifiable information of the person who delivered the infant, unless there was reasonable suspicion the infant has been abused.			
<b>Work Comp: LEO and Firefighters</b>				41
<a href="#">HB2023</a>	2014 Session Law Chapter:	<a href="#">25</a>	<a href="#">HB2023 NOTE</a>	<a href="#">HB2023 Summary</a>
Effective Date	7/1/2014			
Statutes Changed	44-501			
Detail	Provides an exemption to the prohibition placed on the recovery of workers compensation in cases involving coronary disease, coronary artery disease, or cerebrovascular injury during the course of usual work performed by firefighters or law enforcement officers. The injured employee must show the injury was caused by a specific event that occurred in the course and scope of employment, the coronary or cerebrovascular injury occurred within 24 hours of that event, and the event was the prevailing factor in causing the disease or injury.			

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**Arrest Warrants**

**KSA 22-2302 as amended by 2014 Session Law Chapter 139 (HB2389) §3 effective July 1, 2014**

K.S.A. 22-2302

- (a) If the magistrate finds from the complaint, or from an affidavit or affidavits filed with the complaint or from ~~other evidence~~ *sworn testimony*, that there is probable cause to believe both that a crime has been committed and that the defendant has committed it, a warrant for the arrest of the defendant shall issue, except that a summons instead of a warrant may be issued if: (1) The prosecuting attorney so requests; or (2) in the case of a complaint alleging commission of a misdemeanor, the magistrate determines that a summons should be issued. More than one warrant or summons may issue on the same complaint. If a defendant fails to appear in response to the summons, a warrant shall issue.
- (b) *For a warrant or summons executed prior to July 1, 2014, affidavits or sworn testimony in support of the probable cause requirement of this section shall not be made available for examination without a written order of the court, except that such affidavits or testimony when requested shall be made available to the defendant or the defendant's counsel for such disposition as either may desire.*
- (c) (1) ~~For a warrant or summons executed on or after July 1, 2014, affidavits or sworn testimony in support of the probable cause requirement of this section shall not be made available for examination without a written order of the court, except that such affidavits or testimony when requested shall be made available to the defendant or the defendant's counsel for such disposition as either may desire~~ *open to the public until the warrant or summons has been executed. After the warrant or summons has been executed, such affidavits or sworn testimony shall be made available to:*
- (A) *The defendant or the defendant's counsel, when requested, for such disposition as either may desire; and*
- (B) *any person, when requested, in accordance with the requirements of this subsection.*
- (2) *Any person may request that affidavits or sworn testimony be disclosed by filing such request with the clerk of the court. The clerk of the court shall promptly notify the defendant or the defendant's counsel, the prosecutor and the magistrate that such request was filed.*
- (3) *Within five business days after receiving notice of a request for disclosure from the clerk of the court, the defendant or the defendant's counsel and the prosecutor may submit to the magistrate, under seal, either:*
- (A) *Proposed redactions, if any, to the affidavits or sworn testimony and the reasons supporting such proposed redactions; or*
- (B) *a motion to seal the affidavits or sworn testimony and the reasons supporting such proposed seal.*
- (4) *The magistrate shall review the requested affidavits or sworn testimony and any proposed redactions or motion to seal submitted by the defendant, the defendant's counsel or the prosecutor. The magistrate shall make appropriate redactions, or seal the affidavits or sworn testimony, as necessary to prevent public disclosure of information that would:*

- (A) Jeopardize the safety or well being of a victim, witness, confidential source or undercover agent, or cause the destruction of evidence;*
  - (B) reveal information obtained from a court-ordered wiretap or from a search warrant for a tracking device that has not expired;*
  - (C) interfere with any prospective law enforcement action, criminal investigation or prosecution;*
  - (D) reveal the identity of any confidential source or undercover agent;*
  - (E) reveal confidential investigative techniques or procedures not known to the general public;*
  - (F) endanger the life or physical safety of any person;*
  - (G) reveal the name, address, telephone number or any other information which specifically and individually identifies the victim of any sexual offense described in article 35 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or article 55 of chapter 21 of the Kansas Statutes Annotated or K.S.A. 2013 Supp. 21-6419 through 21-6422, and amendments thereto;*
  - (H) reveal the name of any minor; or*
  - (I) reveal any date of birth, personal or business telephone number, driver's license number, nondriver's identification number, social security number, employee identification number, taxpayer identification number, vehicle identification number or financial account information.*
- (5) Within five business days after receiving proposed redactions or a motion to seal from the defendant, the defendant's counsel or the prosecutor, or within 10 business days after receiving notice of a request for disclosure, whichever is earlier, the magistrate shall either:*
- (A) Order disclosure of the affidavits or sworn testimony with appropriate redactions, if any;*  
*or*
  - (B) order the affidavits or sworn testimony sealed and not subject to public disclosure.*



**Search Warrants**

**KSA 22-2502 as amended by 2014 Session Law Chapter 139 (HB2389) §4 effective July 1, 2014**

K.S.A. 22-2502

(a) A search warrant shall be issued only upon the oral or written statement, including those conveyed or received by electronic communication, of any person under oath or affirmation which states facts sufficient to show probable cause that a crime has been, is being or is about to be committed and which particularly describes a person, place or means of conveyance to be searched and things to be seized. Any statement which is made orally shall be either taken down by a certified shorthand reporter, sworn to under oath and made part of the application for a search warrant, or recorded before the magistrate from whom the search warrant is requested and sworn to under oath. Any statement orally made shall be reduced to writing as soon thereafter as possible. If the magistrate is satisfied that grounds for the application exist or that there is probable cause to believe that they exist, the magistrate may issue a search warrant for:

(1) The search or seizure of the following:

(A) Any thing which has been used in the commission of a crime, or any contraband or any property which constitutes or may be considered a part of the evidence, fruits or instrumentalities of a crime under the laws of this state, any other state or of the United States. The term "fruits" as used in this act shall be interpreted to include any property into which the thing or things unlawfully taken or possessed may have been converted;

(B) any person who has been kidnapped in violation of the laws of this state or who has been kidnapped in another jurisdiction and is now concealed within this state;

(C) any human fetus or human corpse;

(D) any person for whom a valid felony arrest warrant has been issued in this state or in another jurisdiction; or

(E) (i) any information concerning the user of an electronic communication service; any information concerning the location of electronic communications systems, including, but not limited to, towers transmitting cellular signals involved in any wire communication; and any other information made through an electronic communications system; or

(ii) the jurisdiction granted in this paragraph shall extend to information held by entities registered to do business in the state of Kansas, submitting to the jurisdiction thereof, and entities primarily located outside the state of Kansas if the jurisdiction in which the entity is primarily located recognizes the authority of the magistrate to issue the search warrant; or

(2) the installation, maintenance and use of a tracking device.

(b) (1) The search warrant under subsection (a)(2) shall authorize the installation and use of the tracking device to track and collect tracking data relating to a person or property for a specified period of time, not to exceed 30 days from the date of the installation of the device.

(2) The search warrant under subsection (a)(2) may authorize the retrieval of the tracking data recorded by the tracking device during the specified period of time for authorized use of such

tracking device within a reasonable time after the expiration of such warrant, for good cause shown.

- (3) The magistrate may, for good cause shown, grant one or more extensions of a search warrant under subsection (a)(2) for the use of a tracking device, not to exceed 30 days each.
- (c) Before ruling on a request for a search warrant, the magistrate may require the affiant to appear personally and may examine under oath the affiant and any witnesses that the affiant may produce. Such proceeding shall be taken down by a certified shorthand reporter or recording equipment and made part of the application for a search warrant.
- (d) *For a warrant executed prior to July 1, 2014, affidavits or sworn testimony in support of the probable cause requirement of this section or search warrants for tracking devices shall not be made available for examination without a written order of the court, except that such affidavits or testimony when requested shall be made available to the defendant or the defendant's counsel for such disposition as either may desire.*
- (e) (1) *For a warrant executed on or after July 1, 2014, affidavits or sworn testimony in support of the probable cause requirement of this section or search warrants for tracking devices shall not be made available for examination without a written order of the court, except that such affidavits or testimony when requested shall be made available to the defendant or the defendant's counsel for such disposition as either may desire open to the public until the warrant has been executed. After the warrant has been executed, such affidavits or sworn testimony shall be made available to:*
  - (A) *The defendant or the defendant's counsel, when requested, for such disposition as either may desire; and*
  - (B) *any person, when requested, in accordance with the requirements of this subsection.*
- (2) *Any person may request that affidavits or sworn testimony be disclosed by filing such request with the clerk of the court. The clerk of the court shall promptly notify the defendant or the defendant's counsel, the prosecutor and the magistrate that such request was filed.*
- (3) *Within five business days after receiving notice of a request for disclosure from the clerk of the court, the defendant or the defendant's counsel and the prosecutor may submit to the magistrate, under seal, either:*
  - (A) *Proposed redactions, if any, to the affidavits or sworn testimony and the reasons supporting such proposed redactions; or*
  - (B) *a motion to seal the affidavits or sworn testimony and the reasons supporting such proposed seal.*
- (4) *The magistrate shall review the requested affidavits or sworn testimony and any proposed redactions or motion to seal submitted by the defendant, the defendant's counsel or the prosecutor. The magistrate shall make appropriate redactions, or seal the affidavits or sworn testimony, as necessary to prevent public disclosure of information that would:*
  - (A) *Jeopardize the safety or well being of a victim, witness, confidential source or undercover agent, or cause the destruction of evidence;*

- (B) reveal information obtained from a court-ordered wiretap or from a search warrant for a tracking device that has not expired;*
- (C) interfere with any prospective law enforcement action, criminal investigation or prosecution;*
- (D) reveal the identity of any confidential source or undercover agent;*
- (E) reveal confidential investigative techniques or procedures not known to the general public;*
- (F) endanger the life or physical safety of any person;*
- (G) reveal the name, address, telephone number or any other information which specifically and individually identifies the victim of any sexual offense described in article 35 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or article 55 of chapter 21 of the Kansas Statutes Annotated or K.S.A. 2013 Supp. 21-6419 through 21-6422, and amendments thereto;*
- (H) reveal the name of any minor; or*
- (I) reveal any date of birth, personal or business telephone number, driver's license number, nondriver's identification number, social security number, employee identification number, taxpayer identification number, vehicle identification number or financial account information.*

*(5) Within five business days after receiving proposed redactions or a motion to seal from the defendant, the defendant's counsel or the prosecutor, or within 10 business days after receiving notice of a request for disclosure, whichever is earlier, the magistrate shall either:*

- (A) Order disclosure of the affidavits or sworn testimony with appropriate redactions, if any;*  
*or*
- (B) order the affidavits or sworn testimony sealed and not subject to public disclosure.*

(f) As used in this section:

- (1) "Electronic communication" means the use of electronic equipment to send or transfer a copy of an original document;
- (2) "electronic communication service" and "electronic communication system" have the meaning as defined in K.S.A. 22-2514, and amendments thereto;
- (3) "tracking data" means information gathered or recorded by a tracking device; and
- (4) "tracking device" means an electronic or mechanical device that permits a person to remotely determine or track the position or movement of a person or object. "Tracking device" includes, but is not limited to, a device that stores geographic data for subsequent access or analysis and a device that allows for the real-time monitoring of movement.

(g) Nothing in this section shall be construed as requiring a search warrant for cellular location information in an emergency situation pursuant to K.S.A. 22-4615, and amendments thereto.

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### Arrest Warrants

#### Description of Amendments to KSA 22-2302 by 2014 Session Law Chapter 139 (HB2389) §3 effective July 1, 2014, by subsection.

K.S.A. 22-2302

- (a) Continues to provide the court may find probable cause to issue an arrest warrant based on the complaint but deletes “or from other evidence” replacing it with “or from sworn testimony”
- (b) Retains the current rules for release of an affidavit for an arrest warrant or summons executed prior to July 1, 2014, by “written order of the court, except that such affidavits or testimony when requested shall be made available to the defendant or the defendant’s counsel for such disposition as either may desire.”
- (c)(1) Creates the new rules for release of the affidavits or sworn testimony for an arrest warrant or summons executed on or after July 1, 2014. Affidavits and sworn testimony for arrest warrants are not open to the public until the warrant or summons has been executed. After the arrest warrant or summons has been executed the provision allowing the affidavit and sworn testimony to be available “to the defendant or the defendant’s counsel, when requested, for such disposition as either may desire” remains unchanged.
- (c)(2) The affidavit for an arrest warrant is also available to anyone upon request through the court clerk, if approved by the court at the conclusion of the following process. The clerk of the court notifies the defendant or the defendant’s counsel, the prosecutor and the magistrate that the request was filed.
- (c)(3) The prosecutor and the defense has five business days after receiving notice from the clerk to provide the court with any proposed redactions or a request to seal the affidavit or sworn testimony, including the reasons for each redaction or the request to seal. The submission by the prosecutor or defense is sealed and not open to the public.
- (c)(4) The court must review the affidavit and sworn testimony along with the recommendations received from the prosecution and defense to determine if the information meeting the following criteria is to be redacted or cause to seal the affidavit and sworn testimony.
  - (A) Jeopardize the safety or well being of a victim, witness, confidential source or undercover agent, or cause the destruction of evidence;
  - (B) reveal information obtained from a court-ordered wiretap or from a search warrant for a tracking device that has not expired;
  - (C) interfere with any prospective law enforcement action, criminal investigation or prosecution;
  - (D) reveal the identity of any confidential source or undercover agent;
  - (E) reveal confidential investigative techniques or procedures not known to the general public;
  - (F) endanger the life or physical safety of any person;
  - (G) reveal the name, address, telephone number or any other information which specifically and individually identifies the victim of any sexual offense described in article 35 of

chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or article 55 of chapter 21 of the Kansas Statutes Annotated or K.S.A. 2013 Supp. 21-6419 through 21-6422, and amendments thereto;

(H) reveal the name of any minor; or

(I) reveal any date of birth, personal or business telephone number, driver's license number, nondriver's identification number, social security number, employee identification number, taxpayer identification number, vehicle identification number or financial account information.

(c)(5) Starting at the end of five business days or upon receipt of the response from both the prosecution and the defense, the court has five business days to take one of the following actions: 1) release the material without redaction, 2) released the material with redactions, or 3) seal the information. While the prosecution and defense are required to offer any proposed redactions, the court is ultimately responsible for the redactions. The statute is silent on whether the court may add redactions not recommended by the prosecution or defense, so presumably they would have that authority provided it met the listed criteria. The court is not required to use all recommended redactions, and could potentially rule a proposed redaction does not meet the statutory requirements.

NOTE: Law enforcement is not directly in the statutory process for suggesting redactions or sealing of the information. Our input into the redaction/seal request is through the prosecutor. The statute does not require the prosecutor to seek law enforcement input, although surely most will. This makes it incumbent on law enforcement to work out a process with your prosecutor(s) for seeking law enforcement input on proposed redactions or reasons for sealing the information.

**Search Warrants**

**Description of Amendments to KSA 22-2502 by 2014 Session Law Chapter 139 (HB2389) §4 effective July 1, 2014, by subsection**

K.S.A. 22-2502

- (a) This subsection contains the criteria for obtaining a search warrant and was not amended.
- (b) This subsection contains the provisions for tracking device warrants and was not amended.
- (c) This subsection provides the court may require, and the procedures for, the affiant and any witnesses brought by the affiant to appear personally and be examined under oath by the court.
- (d) Retains the current rules for release of an affidavit or sworn testimony for a search warrant executed prior to July 1, 2014, by “written order of the court, except that such affidavits or testimony when requested shall be made available to the defendant or the defendant’s counsel for such disposition as either may desire.”
- (e)(1) Creates the new rules for release of the affidavits for a search warrant executed on or after July 1, 2014. Search warrant affidavits and sworn testimony are not open to the public until the warrant or summons has been executed. After the warrant or summons has been executed they continue to “be made available to the defendant or the defendant’s counsel, when requested, for such disposition as either may desire without any change.”
- (e)(2) Search warrant affidavits and sworn testimony are also available to anyone upon request through the court clerk, if approved by the court at the conclusion of the following process. The clerk of the court notifies the defendant or the defendant’s counsel, the prosecutor and the magistrate that the request was filed.
- (e)(3) The prosecutor and the defense has five business days after receiving notice from the clerk to provide the court with any proposed redactions or a request to seal the affidavit or sworn testimony, including the reasons for each redaction or the request to seal.
- (e)(4) The court must review the affidavit and sworn testimony along with the recommendations received from the prosecution and defense to determine if the information meeting the following criteria is to be redacted or cause to seal the affidavit or sworn testimony.
  - (A) Jeopardize the safety or well being of a victim, witness, confidential source or undercover agent, or cause the destruction of evidence;
  - (B) reveal information obtained from a court-ordered wiretap or from a search warrant for a tracking device that has not expired;
  - (C) interfere with any prospective law enforcement action, criminal investigation or prosecution;
  - (D) reveal the identity of any confidential source or undercover agent;
  - (E) reveal confidential investigative techniques or procedures not known to the general public;
  - (F) endanger the life or physical safety of any person;
  - (G) reveal the name, address, telephone number or any other information which specifically and individually identifies the victim of any sexual offense described in article 35 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or article 55 of chapter

21 of the Kansas Statutes Annotated or K.S.A. 2013 Supp. 21-6419 through 21-6422, and amendments thereto;

(H) reveal the name of any minor; or

(I) reveal any date of birth, personal or business telephone number, driver's license number, nondriver's identification number, social security number, employee identification number, taxpayer identification number, vehicle identification number or financial account information.

(e)(5) Starting at the end of five business days or upon receipt of the response from both the prosecution and the defense, the court has five business days to take one of the following actions: 1) release the material without redaction, 2) released the material with redactions, or 3) seal the information. While the prosecution and defense are required to offer any proposed redactions, the court is ultimately responsible for the redactions. The statute is silent on whether the court may add redactions not recommended by the prosecution or defense, so presumably they would have that authority provided it met the listed criteria. The court is not required to use all recommended redactions, and could potentially rule a proposed redaction does not meet the statutory requirements.

(f) This section contains definitions for terms used in the statute and was not amended.

(g) This section contains the provision allowing law enforcement to obtain cellular location information in an emergency situation pursuant to K.S.A. 22-4615 without a warrant and was not amended.

NOTE: Law enforcement is not directly in the statutory process for suggesting redactions or sealing of the information. Our input into the redaction/seal request is through the prosecutor. The statute does not require the prosecutor to seek law enforcement input, although surely most will. This makes it incumbent on law enforcement to work out a process with your prosecutor(s) for seeking law enforcement input on proposed redactions or reasons for sealing the information.



### **2014 HB2473 Gun and Knife Bill**

The referenced bill is the enrolled version signed by the governor.

This bill has been part troubling, part good, and part just fixing policy decisions they made in years past. This is a difficult type of bill to deal with because we have to weigh the benefits against the undesirable things in the bill. After consulting together on this bill, the KACP, KSA, and KPOA supported the bill in part while opposing some areas, voicing concerns on several areas and suggesting cleanup language on others.

Open Carry Comment: Remember the policy decision was made in prior years to allow open carry and prohibit cities from regulating it. The following provisions relate to that issue. Although some cities still want that section removed, that will not happen in the House where open carry is very strongly supported and not likely to be changed in the Senate either. The newest attack on city control is the desire to prohibit regulating loaded firearms in vehicles.

Here is my breakdown of the House Substitute Bill by section:

- Section 1 requires a chief law enforcement officer to provide a response within 15 days to a request for certification for transfer of a class III firearm. If the certification is not granted, the reason must be provided to the applicant. The applicant may appeal the denial to certify to the district court. If the applicant prevails the court will order the chief law enforcement officer to sign the certification and may reward costs and attorney fees. A chief law enforcement officer certifying a transfer cannot be held liable for any act committed with the firearm.
- Section 2 prohibits using tax dollars for a gun buyback program.
- Section 3 provides a local government employee of cannot be required to reveal if they have a CCH permit, even if they are carrying concealed at the workplace. The local government employer cannot discipline, terminate, demote, or otherwise take any negative action against an employee for failing to reveal if they have a permit. The local government cannot create nor retain existing records indicating a person has a CCH permit.
- Section 4 relieves the local gov't of all liability for the actions of any employee carrying a firearm unless the employee is required to carry a firearm as part of their duties. This reflects a later amendment to this section in HB2140.
- Section 5 New law that adds some provisions for open carry that permit a building to be posted for "no open carry" while allowing concealed carry. It also prohibits open carry in any building properly posted to prohibit concealed carry. NOTE: One of the AGs opinions is that current law allows open carry even into buildings that prohibit concealed carry.
- Was Section 6 is new law prohibiting open or concealed carry of a firearm while intoxicated. It is a class A misdemeanor. It does not apply to a person in their home, their business, or land they own or possess. It also is not a violation if the firearm is used in self-defense, defense of another, or other justifiable action with the firearm. It establishes procedures for testing that mirror DUI testing, but cleaned up from the existing concealed carry while intoxicated law. Refusal may result in a \$1000 civil penalty if the refusal is proven in the criminal case. The refusal may be used against the person in court. A CCH

permit holder's permit is revoked for one year for the first offense and 3 years for second or subsequent offense. A .08 or higher BAC is a prima facie case.

- Section 7 amends KSA 12-16,124 by adding “carrying” to the list of ordinance, resolution, or regulation controlling firearms that is prohibited. It also adds new language for the prohibition passed in prior sessions and is current law on local regulation of gun manufacturing, sales, etc. In other words it will now say what they thought they said when these policy decisions were passed a couple of years ago. The amendment also strikes many of the exceptions in the current statute. It adds provisions to clarify a local government may have personnel policies regarding how an employee carries a firearm in the workplace as long as it does not prohibit a CCH licensee from carrying as provided in KSA 75-7c01 and 75-7c20.
- Section 8 cleans up KSA 12-16,134 with the knife prohibition passed last year on local regulation of knife possession, manufacturing, sales, etc. In other words it now says what they thought they said when the policy decision was passed last year. It also nullifies any existing ordinance, resolution or regulation on those topics.
- Sections 9 and 10 deal with permitting expungement of certain convictions relating to violations of knife laws now declared nullified.
- Section 11 restores KSA 21-6301 subsection (b) concerning criminal use of knives to what it was before they gutted it on that issue last year.
- Section 12 amends KSA 21-6304 making it a crime for felons to possess the knives they made legal last year. The same severity level as a felon with a firearm applies.
- Section 13 amends KSA 22-2512 adding provisions on how we dispose of seized firearms. If the person from whom the firearm was seized is not convicted or adjudicated of the crime for which the weapon was seized and is not otherwise prohibited from possessing the firearm, it must be returned to the person within 30 days of after declination of charges or conclusion of prosecution provided it is not stolen. If the person is convicted the weapon may be destroyed only if it is not in a condition to have any value as a weapon or if it was used in the commission of a homicide. If none of those conditions exist the weapon is to be forfeited to the agency seizing the weapon, the KBI or other forensic lab for lab purposes, or to the Department of Wildlife, Parks and Tourism as provided in KSA 32-1047. When forfeited to the agency seizing the weapon it may be used by the agency, transferred to another law enforcement agency for their use, or sold through a licensed gun dealer.
- Section 14 is a technical amendment correcting an erroneous statute reference.
- Section 15 adds an additional prohibition on CCH permit issuance to persons with certain convictions or adjudications as a juvenile.
- Section 16 adds some clarification language to KSA 75-7c20 supporting their policy decision last year that allows knives to be carried into areas with security screening. This is accomplished by changing the definition of “weapon” to exclude “any cutting instrument that has a sharpened or pointed blade.”

Notice and Disclaimer: The author is not an attorney and nothing presented in this document should be construed to be a legal opinion. Always seek legal advice from your local agency legal staff/resources and your local prosecutors on application of the laws. The purpose of this document is to provide information on amended laws and the intent communicated during the legislative session to facilitate those discussions. Officers must always follow agency procedures and policy.

Prepared by Ed Klumpp, eklumpp@cox.net

**2014 HB2140 Gun Bill**

The referenced bill is the enrolled version signed by the governor.

Here is my breakdown of the House Substitute Bill by section:

Section 1 provides any off-duty officer may carry a concealed handgun into any place an on-duty officer is permitted to carry, provided they have the appropriate identification on their person and they are following the policies of their agency. They must show their identification upon request of a law enforcement officer of a person who has lawful authority over the place they are carrying. It also provides any LEOSA qualified officer or retired officer may carry concealed in any location on-duty officers are allowed to carry. These provisions do not apply to a location where a chief judge has ordered such weapons to not be carried or where federal law or regulations prohibit carry. It also does not apply to such off-duty officer or LEOSA qualified officer or retired officer who has been denied a Kansas CCH permit or has a suspended or revoked Kansas CCH permit.

Section 2 amends KSA 21-6302 to permit the provisions of section 1.

Section 3 amends KSA 21-6309 to permit the provisions of section 1.

Section 4 amends KSA 75-7c10 relating to the carrying of concealed firearms into posted buildings to permit the provisions of section 1. This exemption does not apply to courtroom restrictions imposed by a chief judge.

Section 5 amends KSA 75-7c20 relating to the carrying of concealed firearms into posted public buildings to permit the provisions of section 1. This exemption does not apply to courtroom restrictions imposed by a chief judge.

Section 6 amends the liability provision of HB2578 section 4.

Notice and Disclaimer: The author is not an attorney and nothing presented in this document should be construed to be a legal opinion. Always seek legal advice from your local agency legal staff/resources and your local prosecutors on application of the laws. The purpose of this document is to provide information on amended laws and the intent communicated during the legislative session to facilitate those discussions. Officers must always follow agency procedures and policy.

Prepared by Ed Klumpp, eklumpp@cox.net

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## Attachment G

**2014 LISTING OF NEW LAW ENFORCEMENT RELATED STATUTES  
JUNE 24, 2014**

<b>KSA (Supp)</b>	<b>Bill</b>	<b>Sec</b>	<b>Session Law Chapter</b>	<b>Topic</b>	<b>Effective Date</b>
8-1,171 (Supp)	HB 2452	1	77	Donate Life License Plate	7/1/2014
8-1,172 (Supp)	HB 2452	3	77	Rotary International License Plate	7/1/2014
8-1,173 (Supp)	HB 2452	4	77	KS Horse Council License Plate	7/1/2014
8-1918 (Supp)	HB 2715	1	14	Implement Dealer Operating Certain Implements on the Highway	7/1/2014
12-16,124a (Supp)	HB 2578	4	97	Liability Exemption for Certain Employees Acts with Firearms	7/1/2014
12-16,124b (Supp)	HB 2578	2	97	Firearms Buy Back Programs	7/1/2014
12-4516b (Supp)	HB 2515	7	115	Expungement	7/1/2014
12-4516c (Supp)	HB 2515	8	115	Expungement	7/1/2014
20-3301 (Supp)	HB 2446	4	125	District Court Timeline Decisions	7/1/2014
21-6332 (Supp)	HB 2578	6	97	Possession of Firearm While Intoxicated	7/1/2014
21-6604c (Supp)	HB 2655	4	95	Sentencing Options	7/1/2014
21-6614e (Supp)	HB 2338	23	82	Expungement	7/1/2014
21-6630 (Supp)	HB 2655	1	95	Sentencing Options: PTSD	7/1/2014
22-2619 (Supp)	HB 2478	1	32	Jurisdiction: Crime Committed with Electronic Device	7/1/2014
38-2288 (Supp)	HB 2588	2	126	Code for Care of Children: Restrictions on Incarceration for Child In Need of Care	7/1/2014
38-2389 (Supp)	HB 2588	1	126	Juvenile Justice Code: Alternative Adjudications	7/1/2014
38-2390 (Supp)	HB 2588	3	126	Juvenile Justice Code: DOC Cost Study	7/1/2014
44-501c (Supp)	HB 2023	2	25	Work Comp	7/1/2014
48-1906 (Supp)	HB 2578	1	97	Class III Firearm Transfer Certification	7/1/2014
58-4127 (Supp)	HB 2580	1	108	Fingerprints for Employment Related Records Checks	7/1/2014
60-5002 (Supp)	HB 2463	1	51	Terrorism: Civil Cause of Action	7/1/2014
75-7c22 (Supp)	HB 2140	1	134	Off-Duty Carry of Concealed Firearm	7/1/2014
75-7c23 (Supp)	HB 2578	3	97	Public Employee with CCH Permit Carrying at Workplace	7/1/2014
75-7c24 (Supp)	HB 2578	5	97	Open Carry Restrictions in Public Buildings	7/1/2014

**2014 REPEALED STATUTES OF LAW ENFORCEMENT INTEREST  
JUNE 24, 2014**

<b>KSA (Supp)</b>	<b>Bill</b>	<b>Sec</b>	<b>SL §</b>	<b>Note</b>	<b>TOPIC</b>	<b>Effective Date</b>
8-1911 (Supp)	HB 2143	10	117	As amended by § 2 of HB 2715	Oversize/Overweight Vehicles	7/1/2014
8-2110a (Supp)	HB 2479	3	67	Consolidated with 8-2110	Fail to Comply with Traffic Citation	7/1/2014
21-6307 (Supp)	HB 2578	17	97	Replaced with amended 22-2512	Disposition of Seized Weapons	7/1/2014
21-6614d (Supp)	HB 2338	44	82	Consolidated with 21-6614	Expungements	7/1/2014
21-6614d (Supp)	HB 2448	9	102	Consolidated with 21-6614	Expungements	7/1/2014
21-6614d (Supp)	HB 2515	436	115	Consolidated with 21-6614	Expungements	7/1/2014
22-4902b (Supp)	HB 2143	10	117	Consolidated with 22-4902	Registered Offender Definitions	7/1/2014
22-4906b (Supp)	HB 2143	10	117	Consolidated with 22-4906	Registered Offender: Registration Period	7/1/2014
38-2312c (Supp)	HB 2338	44	82	Consolidated with 38-2312	Expungements: Juveniles	7/1/2014
38-2312c (Supp)	HB 2515	436	115	Consolidated with 38-2312	Expungements: Juveniles	7/1/2014
41-2601a (Supp)	HB 2143	10	117	Consolidated with 41-2601	Liquor by the Drink Definitions	7/1/2014
75-7c12 (Supp)	HB 2578	17	97	Replaced with 21-6332	CCH Carrying While Intoxicated	7/1/2014

# 2014 LAW ENFORCEMENT RELATED LEGISLATION

## PASSED TOPICS

Wednesday, June 11, 2014

Prepared by Ed Klumpp

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(785)640-1102

911 Coordinating Council	<a href="#">SB284</a>	<a href="#">SB284 NOTE</a>	<a href="#">SB284 Summary</a>
Alcohol: Farm winery tastings	<a href="#">HB2223</a>	<a href="#">HB2223 NOTE</a>	<a href="#">HB2223 Summary</a>
Alcohol: Homemade fermented beverages	<a href="#">HB2223</a>	<a href="#">HB2223 NOTE</a>	<a href="#">HB2223 Summary</a>
Alcohol: Licensee qualifications	<a href="#">HB2223</a>	<a href="#">HB2223 NOTE</a>	<a href="#">HB2223 Summary</a>
Alcohol: Microbrewery production limits	<a href="#">HB2223</a>	<a href="#">HB2223 NOTE</a>	<a href="#">HB2223 Summary</a>
Appeals: Appellate Court Mandates	<a href="#">HB2389</a>	<a href="#">HB2389 NOTE</a>	<a href="#">HB2389 Summary</a>
Appeals: fees to Attorney General	<a href="#">SB256</a>	<a href="#">SB256 NOTE</a>	<a href="#">SB256 Summary</a>
Blue Alert	<a href="#">HCR502</a>	<a href="#">HCR5029 NOTE</a>	<a href="#">HCR5029 Summar</a>
Bond Agents: Felons Disqualified	<a href="#">SB256</a>	<a href="#">SB256 NOTE</a>	<a href="#">SB256 Summary</a>
Bond Agents: Out of state	<a href="#">SB256</a>	<a href="#">SB256 NOTE</a>	<a href="#">SB256 Summary</a>
Bonds: Surety vs. OR	<a href="#">SB256</a>	<a href="#">SB256 NOTE</a>	<a href="#">SB256 Summary</a>
Courts: Decision deadlines	<a href="#">HB2446</a>	<a href="#">HB2446 NOTE</a>	<a href="#">HB2446 Summary</a>
Courts: Docket Fees	<a href="#">HB2338</a>	<a href="#">HB2338 NOTE</a>	<a href="#">HB2338 Summary</a>
Courts: Magistrate Judges	<a href="#">HB2065</a>	<a href="#">HB2065 NOTE</a>	<a href="#">HB2065 Summary</a>
Discovery	<a href="#">HB2445</a>	<a href="#">HB2445 NOTE</a>	<a href="#">HB2445 Summary</a>
DNA Collection Methods at Time of Arrest	<a href="#">HB2448</a>	<a href="#">HB2448 NOTE</a>	<a href="#">HB2448 Summary</a>
DOC: COBRA Provisions for state DOC employees killed in line o	<a href="#">HB2537</a>	<a href="#">HB2537 NOTE</a>	<a href="#">HB2537 Summary</a>
Drug Schedules	<a href="#">HB2298</a>	<a href="#">HB2298 NOTE</a>	<a href="#">HB2298 Summary</a>
DUI: Breath Testing Equipment	<a href="#">HB2303</a>	<a href="#">HB2303 NOTE</a>	<a href="#">HB2303 Summary</a>
DUI: Expungement	<a href="#">HB2448</a>	<a href="#">HB2448 NOTE</a>	<a href="#">HB2448 Summary</a>
DUI: Ignition Interlock	<a href="#">HB2479</a>	<a href="#">HB2479 NOTE</a>	<a href="#">HB2479 Summary</a>
DUI: Test Refusal or Failure Reinstatement Fee	<a href="#">HB2446</a>	<a href="#">HB2446 NOTE</a>	<a href="#">HB2446 Summary</a>
Elections: Party affiliation change	<a href="#">HB2210</a>	<a href="#">HB2210 NOTE</a>	<a href="#">HB2210 Summary</a>
Electronic Crimes	<a href="#">HB2478</a>	<a href="#">HB2478 NOTE</a>	<a href="#">HB2478 Summary</a>
EMS: COBRA Provisions for EMS Worker Killed in Line of Duty	<a href="#">HB2537</a>	<a href="#">HB2537 NOTE</a>	<a href="#">HB2537 Summary</a>
Expert Witness	<a href="#">HB2445</a>	<a href="#">HB2445 NOTE</a>	<a href="#">HB2445 Summary</a>
False Alarm	<a href="#">HB2655</a>	<a href="#">HB2655 NOTE</a>	<a href="#">HB2655 Summary</a>
False Complaint Against a LEO	<a href="#">HB2655</a>	<a href="#">HB2655 NOTE</a>	<a href="#">HB2655 Summary</a>
Felons: Criminal Possession by Convicted Felon	<a href="#">HB2578</a>	<a href="#">HB2578 NOTE</a>	<a href="#">HB2578 Summary</a>
Firearms: Certification of Transfer for Class III Firearms	<a href="#">HB2578</a>	<a href="#">HB2578 NOTE</a>	<a href="#">HB2578 Summary</a>

Firearms: Concealed carry	<a href="#">HB2578</a>	<a href="#">HB2578 NOTE</a>	<a href="#">HB2578 Summary</a>
Firearms: Employee with CCH Permit	<a href="#">HB2578</a>	<a href="#">HB2578 NOTE</a>	<a href="#">HB2578 Summary</a>
Firearms: Gun Buy Back Programs	<a href="#">HB2578</a>	<a href="#">HB2578 NOTE</a>	<a href="#">HB2578 Summary</a>
Firearms: Intoxication	<a href="#">HB2578</a>	<a href="#">HB2578 NOTE</a>	<a href="#">HB2578 Summary</a>
Firearms: Juveniles	<a href="#">HB2578</a>	<a href="#">HB2578 NOTE</a>	<a href="#">HB2578 Summary</a>
Firearms: Liability Exemption for Actions of Employee with CCH	<a href="#">HB2140</a>	<a href="#">HB2140 NOTE</a>	<a href="#">HB2140 Summary</a>
Firearms: Off-Duty and LEOSA Qualified Officers	<a href="#">HB2140</a>	<a href="#">HB2140 NOTE</a>	<a href="#">HB2140 Summary</a>
Firearms: Open Carry	<a href="#">HB2578</a>	<a href="#">HB2578 NOTE</a>	<a href="#">HB2578 Summary</a>
Forensic Labs	<a href="#">HB2143</a>	<a href="#">HB2143 NOTE</a>	<a href="#">HB2143 Summary</a>
Homicide: Attempted Capital Murder: Sentencing	<a href="#">HB2490</a>	<a href="#">HB2490 NOTE</a>	<a href="#">HB2490 Summary</a>
Homicide: Commutation Limitations	<a href="#">HB2490</a>	<a href="#">HB2490 NOTE</a>	<a href="#">HB2490 Summary</a>
Homicide: Death Sentence: Functional incapacitation release	<a href="#">HB2490</a>	<a href="#">HB2490 NOTE</a>	<a href="#">HB2490 Summary</a>
Homicide: Felony Murder: Minimum sentence	<a href="#">HB2490</a>	<a href="#">HB2490 NOTE</a>	<a href="#">HB2490 Summary</a>
Homicide: Premeditated first degree: Sentencing	<a href="#">HB2490</a>	<a href="#">HB2490 NOTE</a>	<a href="#">HB2490 Summary</a>
Human Trafficking	<a href="#">HB2501</a>	<a href="#">HB2501 NOTE</a>	<a href="#">HB2501 Summary</a>
Infants: Newborn infant protection act	<a href="#">HB2577</a>	<a href="#">HB2577 NOTE</a>	<a href="#">HB2577 Summary</a>
Interference with Judicial Process	<a href="#">HB2448</a>	<a href="#">HB2448 NOTE</a>	<a href="#">HB2448 Summary</a>
Interference with Law Enforcement	<a href="#">HB2655</a>	<a href="#">HB2655 NOTE</a>	<a href="#">HB2655 Summary</a>
Jury Conduct	<a href="#">HB2448</a>	<a href="#">HB2448 NOTE</a>	<a href="#">HB2448 Summary</a>
Jury: Grand Jury	<a href="#">SB310</a>	<a href="#">SB310 NOTE</a>	<a href="#">SB310 Summary</a>
Juveniles: Alternative adjudication	<a href="#">HB2588</a>	<a href="#">HB2588 NOTE</a>	<a href="#">HB2588 Summary</a>
Juveniles: CINC: Incarceration	<a href="#">HB2588</a>	<a href="#">HB2588 NOTE</a>	<a href="#">HB2588 Summary</a>
Juveniles: Good Time Credit	<a href="#">HB2588</a>	<a href="#">HB2588 NOTE</a>	<a href="#">HB2588 Summary</a>
Juveniles: Parents participation in programs	<a href="#">SB329</a>	<a href="#">SB329 NOTE</a>	<a href="#">SB329 Summary</a>
Juveniles: Placement Matrix	<a href="#">HB2588</a>	<a href="#">HB2588 NOTE</a>	<a href="#">HB2588 Summary</a>
Juveniles: Risk Assessment Tools	<a href="#">HB2588</a>	<a href="#">HB2588 NOTE</a>	<a href="#">HB2588 Summary</a>
Juveniles: Tried as adult	<a href="#">HB2588</a>	<a href="#">HB2588 NOTE</a>	<a href="#">HB2588 Summary</a>
KCJIS Committee	<a href="#">SB402</a>	<a href="#">SB402 NOTE</a>	<a href="#">SB402 Summary</a>
Knives	<a href="#">HB2578</a>	<a href="#">HB2578 NOTE</a>	<a href="#">HB2578 Summary</a>
KPERS: 2015 Plan Revisions	<a href="#">HB2533</a>	<a href="#">HB2533 NOTE</a>	<a href="#">HB2533 Summary</a>
KPERS: State Employees on Furlough	<a href="#">HB2596</a>	<a href="#">HB2596 NOTE</a>	<a href="#">HB2596 Summary</a>
Medicaid Fraud	<a href="#">SB271</a>	<a href="#">SB271 NOTE</a>	<a href="#">SB271 Summary</a>
Mistreatment of Dependent Adult	<a href="#">SB256</a>	<a href="#">SB256 NOTE</a>	<a href="#">SB256 Summary</a>
Mistreatment of Dependent Adult Cleanup	<a href="#">HB2389</a>	<a href="#">HB2389 NOTE</a>	<a href="#">HB2389 Summary</a>
Mistreatment of Elder person	<a href="#">SB256</a>	<a href="#">SB256 NOTE</a>	<a href="#">SB256 Summary</a>



Offender Registration: Cleanup	<a href="#">SB20</a>	<a href="#">SB20 NOTE</a>	<a href="#">SB20 Summary</a>
Offender Registration: Human Trafficking	<a href="#">HB2143</a>	<a href="#">HB2143 NOTE</a>	<a href="#">HB2143 Summary</a>
Open Records Act: Annual Review	<a href="#">HB2182</a>	<a href="#">HB2182 NOTE</a>	<a href="#">HB2182 Summary</a>
Probation and Parole Sanctions	<a href="#">HB2448</a>	<a href="#">HB2448 NOTE</a>	<a href="#">HB2448 Summary</a>
PTSD from military combat	<a href="#">HB2655</a>	<a href="#">HB2655 NOTE</a>	<a href="#">HB2655 Summary</a>
Records checks; Real Estate Appraisers; Fingerprints	<a href="#">HB2580</a>	<a href="#">HB2580 NOTE</a>	<a href="#">HB2580 Summary</a>
RICO	<a href="#">SB256</a>	<a href="#">SB256 NOTE</a>	<a href="#">SB256 Summary</a>
RICO Cleanup	<a href="#">HB2389</a>	<a href="#">HB2389 NOTE</a>	<a href="#">HB2389 Summary</a>
Rooks County Jail Sales Tax	<a href="#">SB266</a>	<a href="#">SB266 NOTE</a>	<a href="#">SB266 Summary</a>
School Crossing Guards	<a href="#">HB2420</a>	<a href="#">HB2420 NOTE</a>	<a href="#">HB2420 Summary</a>
Securities Fraud	<a href="#">HB2433</a>	<a href="#">HB2433 NOTE</a>	<a href="#">HB2433 Summary</a>
Sentencing: Life without parole: Clarification	<a href="#">HB2490</a>	<a href="#">HB2490 NOTE</a>	<a href="#">HB2490 Summary</a>
Sentencing: Life without possibility of parole	<a href="#">HB2490</a>	<a href="#">HB2490 NOTE</a>	<a href="#">HB2490 Summary</a>
Sexual Relations, Unlawful	<a href="#">SB256</a>	<a href="#">SB256 NOTE</a>	<a href="#">SB256 Summary</a>
Small Claims Against Government Entity	<a href="#">HB2491</a>	<a href="#">HB2491 NOTE</a>	<a href="#">HB2491 Summary</a>
Speedy Trial	<a href="#">HB2389</a>	<a href="#">HB2389 NOTE</a>	<a href="#">HB2389 Summary</a>
Statute of Limitation	<a href="#">HB2448</a>	<a href="#">HB2448 NOTE</a>	<a href="#">HB2448 Summary</a>
Statute of Limitations for Juveniles	<a href="#">SB329</a>	<a href="#">SB329 NOTE</a>	<a href="#">SB329 Summary</a>
Taxes	<a href="#">HB2047</a>	<a href="#">HB2047 NOTE</a>	<a href="#">HB2047 Summary</a>
Terrorism, Civil Cause of Action	<a href="#">HB2463</a>	<a href="#">HB2463 NOTE</a>	<a href="#">HB2463 Summary</a>
Terrorism, Civil Forfeiture	<a href="#">HB2463</a>	<a href="#">HB2463 NOTE</a>	<a href="#">HB2463 Summary</a>
Terrorism, Criminal	<a href="#">HB2463</a>	<a href="#">HB2463 NOTE</a>	<a href="#">HB2463 Summary</a>
Traffic: Attempt to Elude	<a href="#">HB2442</a>	<a href="#">HB2442 NOTE</a>	<a href="#">HB2442 Summary</a>
Traffic: Commercial Vehicle: Driver's License Testing	<a href="#">HB2693</a>	<a href="#">HB2693 NOTE</a>	<a href="#">HB2693 Summary</a>
Traffic: Commercial Vehicle: Intrastate 26M or less	<a href="#">SB273</a>	<a href="#">SB273 NOTE</a>	<a href="#">SB273 Summary</a>
Traffic: Commercial Vehicles: Tank Vehicles	<a href="#">HB2724</a>	<a href="#">HB2724 NOTE</a>	<a href="#">HB2724 Summary</a>
Traffic: Farm machinery and equipment	<a href="#">HB2715</a>	<a href="#">HB2715 NOTE</a>	<a href="#">HB2715 Summary</a>
Traffic: Handicap permits	<a href="#">HB2727</a>	<a href="#">HB2727 NOTE</a>	<a href="#">HB2727 Summary</a>
Traffic: Hay Haulers	<a href="#">SB344</a>	<a href="#">SB344 NOTE</a>	<a href="#">SB344 Summary</a>
Traffic: Oversize Vehicle	<a href="#">SB344</a>	<a href="#">SB344 NOTE</a>	<a href="#">SB344 Summary</a>
Traffic: Registration plates: Specialty	<a href="#">HB2452</a>	<a href="#">HB2452 NOTE</a>	<a href="#">HB2452 Summary</a>
Traffic: Salvage vehicle	<a href="#">HB2728</a>	<a href="#">HB2728 NOTE</a>	<a href="#">HB2728 Summary</a>
Traffic: Suspended DL; Failure to appear	<a href="#">HB2479</a>	<a href="#">HB2479 NOTE</a>	<a href="#">HB2479 Summary</a>
Trial: Crime punishable by life without parole	<a href="#">HB2490</a>	<a href="#">HB2490 NOTE</a>	<a href="#">HB2490 Summary</a>
Trial: Out of state witness requests	<a href="#">HB2490</a>	<a href="#">HB2490 NOTE</a>	<a href="#">HB2490 Summary</a>

Venue of Crimes Committed with Electronic Devices	<a href="#">HB2478</a>	<a href="#">HB2478 NOTE</a>	<a href="#">HB2478 Summary</a>
Victim Notification by DOC	<a href="#">SB248</a>	<a href="#">SB248 NOTE</a>	<a href="#">SB248 Summary</a>
VIN Inspections	<a href="#">SB351</a>	<a href="#">SB351 NOTE</a>	<a href="#">SB351 Summary</a>
Warrant affidavits	<a href="#">HB2389</a>	<a href="#">HB2389 NOTE</a>	<a href="#">HB2389 Summary</a>
Weapons, Criminal Use	<a href="#">HB2578</a>	<a href="#">HB2578 NOTE</a>	<a href="#">HB2578 Summary</a>
Weapons: Disposition of seized	<a href="#">HB2578</a>	<a href="#">HB2578 NOTE</a>	<a href="#">HB2578 Summary</a>
Work Comp: LEO and Firefighters	<a href="#">HB2023</a>	<a href="#">HB2023 NOTE</a>	<a href="#">HB2023 Summary</a>

## **REFERENCES:**

Updates to this document will be available on: [KS Law Enforcement Information Website  
http://www.kslawenforcementinfo.com/2014-session.html](http://www.kslawenforcementinfo.com/2014-session.html)

Kansas Legislature, Legislative Research publishes a summary of all 2013 legislation is located at:  
[http://skyways.lib.ks.us/ksleg/KLRD/Publications/2014\\_preliminary\\_summary\\_supp\\_ii.pdf](http://skyways.lib.ks.us/ksleg/KLRD/Publications/2014_preliminary_summary_supp_ii.pdf)

Kansas Legislature, [Bill Locator and Index end of 2014 Session  
http://www.kslegislature.org/li/documents/actions\\_and\\_subject\\_index\\_report.pdf](http://www.kslegislature.org/li/documents/actions_and_subject_index_report.pdf)

Amended and Repealed Statutes  
<http://www.ksrevisor.org/rpts/2014AmendsAndRepeals.pdf>

Session Law Chapter Numbers cross referenced to bill numbers is currently available on the Kansas Secretary of State's session law web site:  
[http://www.kssos.org/pubs/sessionlaws/2014/2014\\_Bill\\_Chapter\\_List.xlsx](http://www.kssos.org/pubs/sessionlaws/2014/2014_Bill_Chapter_List.xlsx)

Available at a later date:

In the fall, the Revisor's Office will publish a listing of new statutes created by the 2014 legislature. They will post it on their website at <http://www.ksrevisor.org/> with the link in the list of reports located just under the picture of the capitol dome on the right side of their main page.

In July the 2014 Kansas Session Laws will be available on the Kansas Secretary of State's session law web site:  
[http://www.kssos.org/pubs/pubs\\_session\\_laws.aspx](http://www.kssos.org/pubs/pubs_session_laws.aspx).

To read the text of a bill go to: <http://www.kslegislature.org/li/> and click on "Bill Search" just right of the picture of the dome in the upper left corner of the page.

Statutes are available on line at: <http://www.ksrevisor.org/ksa.html>

CAUTION: The online statutes will not have the 2014 amendments added to them for quite some time, usually around the beginning of the following calendar year. When you go to the link above, note the page title at the top of the page. When it says "2014 Statutes" you will know they have been updated.

Kansas Register is available at: [http://www.kssos.org/pubs/pubs\\_kansas\\_register.asp](http://www.kssos.org/pubs/pubs_kansas_register.asp)

KPERS: <http://www.kpers.org>

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