

# 2016 Passed Law Enforcement Related Legislative Topics

Wednesday, May 25, 2016

## TOPIC

Bill Information Links  
Details

Status

Effective:

### Administrative Hearings

[SB19](#) [Supplemental Note](#) [Bill Summary](#) Signed Statute Book 7/1/2016

Statutes: 77-502; 77-519; 77-521; 77-531; 77-545; 77-546; 77-548; 77-613 Delayed Eff Date

Bill Section All

Allows the use of electronic service on parties of an action under the state administrative procedure act such as used in CPOST appeals, but only with permission of all parties.

### Alcohol: Cider and Meade

[SB326](#) [CCR Brief](#) [Bill Summary](#) Signed Statute Book 7/1/2016

Statutes: 41-102; 41-308b Delayed Eff Date

Bill Section 3, 4

Authorizes microbreweries to manufacture and sell cider and meade. By definition, hard cider is a subset of wine and is a fermented, carbonated product from apples or pears with an alcohol content not exceeding 8.5%. Production and sales can be up to 100,000 gallons per year.

### Alcohol: Farm Wineries

[SB326](#) [CCR Brief](#) [Bill Summary](#) Signed Statute Book

Statutes: 41-311 Delayed Eff Date

Bill Section 2

Removes the one year residency requirement for persons applying for a farm winery, microbrewery, or microdistillery license.

### Alcohol: Microbreweries: Production Limits

[SB326](#) [CCR Brief](#) [Bill Summary](#) Signed Statute Book 7/1/2016

Statutes: 41-308b Delayed Eff Date

Bill Section 1

Raises the maximum amount of beer manufactured with a microbrewery license, allowing up to 60,000 barrels of beer in a calendar year. If a licensee has 10 percent or greater ownership interest in one or more entities that also hold a microbrewery license, the aggregate number of domestic barrels manufactured by all licenses under such common ownership could not exceed 60,000 barrels. A microbrewery licensee also licensed as a club or drinking establishment could sell and transfer domestic beer to that club or drinking establishment. Microbrewery licensees with 10 percent or greater ownership interest in one or more entities that also hold a microbrewery license would be allowed to manufacture and transfer domestic beer between the microbrewery licensees with common ownership for storage or sale.

TOPIC

Bill Information Links  
Details

Status

Effective:

**Alcohol: Minor in Possession**

[SB133](#)   [Supplemental Note](#)   [Bill Summary](#)   Signed   Statute Book   7/1/2016

Statutes: 41-727   Delayed Eff Date

Bill Section All

Grants immunity of prosecution for possession of alcohol by a minor, if the minor is reporting a medical emergency due to alcohol consumption. Does not change social hosting laws or furnishing alcohol to a minor violations. Can include up to 3 people acting together to request medical assistance and render aid to a person. Requires the person to 1) notify LE or EMS; 2) cooperate with LE and EMS; 3) Remain at scene with person needing medical assistance. The person appearing to need medical assistance also cannot be prosecuted for MIP if they cooperate with LE and EMS. LE cannot have an action taken against them for compliance or non-compliance with the new law.

**Body Cameras: KORA**

[SB22](#)   [CCR brief](#)   [Bill Summary](#)   Signed   Statute Book   7/1/2016

Statutes: New   Delayed Eff Date

Bill Section 1 & 10

Makes recordings from body or vehicle cameras investigatory records for the purposes of KORA. The following people may view the video, but LE is not required to provide a copy to them: (1) A person who is a subject of the recording; (2) a parent or legal guardian of a person under 18 years of age who is a subject of the recording; (3) an attorney for a person described in subsection (c)(1) or (c)(2); and (4) an heir at law, an executor or an administrator of a decedent, when the decedent is a subject of the recording.

**Budget Amendments**

[SB249](#)   [CCR Brief](#)   [Bill Summary](#)   Signed   Register

Statutes:   Delayed Eff Date

Bill Section All

End of session FY16 and FY17 budget amendments. Includes many conditions placed on governor in making budget cuts to balance budget.

**Budget: General Appropriations**

[SB161](#)   [Bill Explainer](#)   [Bill Summary](#)   Signed   Register   3/31/2016

Statutes:   Delayed Eff Date

Bill Section All

Budget revisions for FY2016, 2017, and 2018 for various state agencies.

TOPIC

Bill Information Links  
Details

Status

Effective:

**Burglary: Dwelling**

[HB2462](#)   [CCR Brief](#)   [Bill Summary](#)   Signed   Statute Book   7/1/2016

Statutes: 21-5807; 21-6804   Delayed Eff Date

Bill Section 3, 4

Agg. Burglary to an occupied dwelling becomes a SL 4 person felony instead of a SL 5 person felony. Agg. Burglary to a place occupied by a person other than a residence remains a SL5 person felony. A special rule makes a burglary to a residence presumptive imprisonment if the criminal history score places the offender in sentencing grids 7-C, 7-D or 7-E. Without the special rule the sentence would be presumptive probation. This means a residential burglar without a prior person felony will see presumptive probation for the first three convictions. Burglary of a dwelling with intent to commit a theft of a firearm is a SL 5 person felony rather than a SL 5 nonperson felony. Burglary of a non-residence with intent to commit theft of a firearm remains a SL5 nonperson felony. Changes the penalty for burglary (not aggravated burglary) of a dwelling from a SL7 person crime to a SL7 nonperson felony.

**Consumer Protection: Consumer Protection Order**

[SB2460](#)   [CCR Brief](#)   [Bill Summary](#)   Signed   Statute Book   7/1/2016

Statutes: New; 60-4104   Delayed Eff Date

Bill Section 4, 5, 6

Creates a SL9 person felony for violating a consumer protection order and adds the violation to the list of offenses leading to potential civil forfeiture action.

**Consumer Protection: Identity Theft**

[HB2460](#)   [CCR Brief](#)   [Bill Summary](#)   Signed   Statute Book   7/1/2016

Statutes: New; 50-6,139. Also repealing 50-7a03.   Delayed Eff Date

Bill Section 1, 2, 3

Authorizes the attorney general to assist victims of identity theft, identity fraud and related crimes in obtaining refunds, canceling fraudulent accounts, correcting false information in consumer reports, correcting false information in personnel files and court records, obtaining security freezes, completing identity theft affidavits, filing complaints and related matters.

**Courts: Docket fees**

[SB255](#)   [Supplemental Note](#)   [Bill Summary](#)   Signed   Statute Book   7/1/2016

Statutes: 8-2107, 20-362, 20-3021, 21-6614, 22-2410, 23-2510, 28-170, 28-170a, 28-172a, 28-177, 32-1049a, 38-2215, 38-2312, 38-2314, 59-104, 60-729, 60-2001, 60-2008, 60-2203a, 61-2704, 61-4001 and 65-409. Reviving and amending 5-517; 20-166; 20-1a04, 28-172b, 74-7325, 74-7334 and 75-7021. Also repealing 5-517, 20-166, 20-1a04, 20-367, 21-6614d, 28-172b, 38-2312c, 60-2001b, 74-7325, 74-7334, 75-7021, 20-1a16, 20-1a17, 21-6614f, 28-178 and 28-179.   Delayed Eff Date

Bill Section All

Allows the supreme court to set court related docket fees, retains docket fees for KLETC. Creates the Electronic Filing and Management Fund.

TOPIC

Bill Information Links  
Details

Status

Effective:

**Courts: Funding**

[HB2449](#)   [Supplemental Note](#)   [Bill Summary](#)   Signed   

Register	2/11/2016
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Statutes: 

Amends 2015 HB2005, 2015 SL Ch 81. Repeals KSA 20-1a18.	Delayed Eff Date	
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Bill Section 

All
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Repeals the nonseverability clause in the judicial branch budget bill passed last year which was ruled unconstitutional.

**CPOST: Funding**

[HB2696](#)   [CCR Brief](#)   [Bill Summary](#)   Signed   

Statute Book	7/1/2016
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Statutes: 

12-4112; 12-4117	Delayed Eff Date	
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Bill Section 

5, 6, 7
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Changes the municipal court docket fee for CPOST from \$2.50 to \$5.

**Criminal Law: Agg. Burglary to Open Business**

[HB2462](#)   [CCR Brief](#)   [Bill Summary](#)   Signed   

Statute Book	7/1/2016
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Statutes: 

21-5807	Delayed Eff Date	
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Bill Section 

3 (e)
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Unless there is an intent to commit a person felony or sexually motivated crime, burglary and agg. burglary exempt premises that are at the time open to the public, even if there was a prior order to not return to the business. This was taken from the Model Penal Code.

**Criminal Law: Blackmail/Breach of Privacy**

[HB2501](#)   [CCR Brief](#)   [Bill Summary](#)   Signed   

Statute Book	7/1/2016
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Statutes: 

21-5418; 21-6101	Delayed Eff Date	
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Bill Section 

3, 5
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Amends blackmail and breach of privacy to cover distribution of nude photos of another. Aimed at the distribution or threat of distribution of photos of a spouse during or after a divorce. Breach of privacy includes disseminating any videotape, photograph, film or image of another identifiable person 18 years of age or older who is nude or engaged in sexual activity and under circumstances in which such identifiable person had a reasonable expectation of privacy, with the intent to harass, threaten or intimidate such identifiable person, and such identifiable person did not consent to such dissemination. The blackmail statute is amended to include activity defined in the new provision of breach of privacy.

TOPIC

Bill Information Links  
Details

Status

Effective:

**Criminal Law: Sexting**

[HB2501](#)

[CCR Brief](#)

[Bill Summary](#)

Signed

Statute Book

7/1/2016

Statutes: New and 21-5510; 22-4902

Delayed Eff Date

Bill Section 1, 2, 4, & 7

Establishes a law specific for Unlawful Transmission of a Visual Depiction of a Child (sexting) by teenagers at a much lower severity level than available today and not requiring offender registration. Protects more serious sex crimes to be prosecuted under the higher level crimes. The intent of this is to provide an action level other than the only options previously available of doing nothing or charging very serious felonies. It also exempts this crime from offender registration.

Unlawful transmission of a visual depiction of a child is defined as knowingly transmitting a visual depiction of a child ages 12 through 18 in a state of nudity when the offender is less than 19 years of age. Aggravated transmission of a visual depiction of a child requires the same elements and adds the requirement that the transmitting occur with the intent to harass, embarrass, intimidate, defame, or otherwise inflict emotional, psychological, or physical harm. There is a rebuttable presumption the offender had this intent if the offender transmitted such visual depiction to more than one person. It also constitutes aggravated transmission if the transmission was made for pecuniary or tangible gain or with the intent to exhibit or transmit the depiction to more than one person. Unlawful transmission is a class A, person misdemeanor for a first conviction and a severity level 10, person felony for a subsequent conviction. Aggravated unlawful transmission is a severity level 9, person felony for a first conviction and a severity level 7, person felony for a subsequent conviction. These crimes do not apply to the child who is the subject of the depiction. The crimes do not apply to a visual depiction of a child engaged in sexually explicit conduct or a depiction that constitutes obscenity. It is not unlawful for a person under the age of 19 to possess a visual depiction of a child in a state of nudity who is 16 years of age or older. It is a class B, person misdemeanor to possess a photo of a person ages 12 through 18 in a state of nudity when obtained directly from the person in the photo. It is a defense to the crime that the recipient of a depiction received it without requesting, coercing, or otherwise attempting to obtain the depiction; did not transmit, exhibit, or disseminate the depiction; and made a good faith effort to erase, delete, or destroy the depiction. The possession of a depiction of a child in a state of nudity is not a crime if possessed by the child who is the subject of the depiction.

**Criminal Law: Theft**

[HB2462](#)

[CCR Brief](#)

[Bill Summary](#)

Signed

Statute Book

7/1/2016

Statutes: 21-5801

Delayed Eff Date

Bill Section 2

The threshold for felony theft is increased from \$1,000 to \$1,500. The rule for the third theft being a SL9 NP Felony is changed. Under the revised law, that provision only applies if the new theft is a loss of \$50-\$1500 and the prior to convictions must have been within the past five years, excluding time the person was incarcerated.

**Criminal Procedure: Appeals**

[SB334](#)

[Supplemental Note](#)

[Bill Summary](#)

Signed

Statute Book

7/1/2016

Statutes: New and 60-224; 60-1712

Delayed Eff Date

Bill Section All

Requires notice to the attorney general before any Kansas district or appellate court determines that a statute or constitutional provision is invalid or unconstitutional.

TOPIC

Bill Information Links  
Details

Status

Effective:

**Criminal Procedure: Bail Bonds**

<a href="#">HB2056</a>	<a href="#">CCR Brief</a>	<a href="#">Bill Summary</a>	Signed	Statute Book	7/1/2016
Statutes: New and 22-2806; 12-4516; 21-6614; 22-2809a. Also repealing 12-4516d; 21-6614f.				Delayed Eff Date	7/1/2017
Bill Section <input type="text" value="All"/>					
Requires registration and licensing through the Attorney General's Office and annual training for bail bond agents. Current bail bond agents will have until 7/1/17 to receive required training.					

**Criminal Procedure: Final Dispositions**

<a href="#">SB392</a>	<a href="#">Supplemental Note</a>	<a href="#">Bill Summary</a>	Signed	Statute Book	7/1/2016
Statutes: 22-4301; 22-4302; 22-4303; 22-4304; 22-4306; 22-4308. Also repealing 22-4307.				Delayed Eff Date	<input type="text"/>
Bill Section <input type="text" value="All"/>					
Allows a prisoner to require final dispositions on pending cases for which they are not incarcerated. The idea is to not have a person released from incarceration only to be arrested again on charges that could have been prosecuted before their release.					

**Criminal Procedure: Grand Jury Instruction**

<a href="#">HB2151</a>	<a href="#">CCR Brief</a>	<a href="#">Bill Summary</a>	Signed	Statute Book	7/1/2016
Statutes: 22-3001				Delayed Eff Date	<input type="text"/>
Bill Section <input type="text" value="3"/>					
Requires jury instructions in citizen or petition based grand jury proceedings to be open to person requesting the grand jury.					

**Criminal Procedure: KCJIS Records**

<a href="#">SB362</a>	<a href="#">Supplemental Note</a>	<a href="#">Bill Summary</a>	Signed	Statute Book	7/1/2016
Statutes: 22-4701; 22-4705; 60-460; 60-465				Delayed Eff Date	<input type="text"/>
Bill Section <input type="text" value="All"/>					
Amends law to allow the KBI to enter into agreements with state agencies and municipalities to share and authenticate electronically stored information to the KCJIS central repository. Amends the definition of "criminal justice information system" to include electronically stored information, and a definition for "electronically stored information" is added. Also includes use of the records within the hearsay evidence exception for content of official records.					

**Criminal Procedure: Manifest Injustice**

<a href="#">SB319</a>	<a href="#">CCR Brief</a>	<a href="#">Bill Summary</a>	Signed	Statute Book	7/1/2016
Statutes: 60-1507				Delayed Eff Date	<input type="text"/>
Bill Section <input type="text" value="2"/>					
In a motion to vacate, set aside, or correct a sentence based on a manifest injustice, which extends the time limitation for bringing an action beyond a year, the court's inquiry is limited to determining why the prisoner failed to file the motion within the one-year time limit or whether the prisoner claims actual innocence. Actual innocence requires the prisoner to show it is more likely than not that no reasonable juror would have convicted the prisoner in light of new evidence.					

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Bill Information Links  
Details

Status

Effective:

**Criminal Procedure: Search of Parolee**

[SB325](#)   [CCR Brief](#)   [Bill Summary](#)   Signed   Statute Book     
Statutes:    Delayed Eff Date     
Bill Section

Amending search and seizure parameters for parole and postrelease supervision. In response to a appeals court case, State vs. Toliver. Parolees are subject to search or seizure searches of the person and the person's effects, vehicle, residence and property. This effects searches by parole officers and law enforcement officers. Searches may be conducted by any law enforcement officer only when based on reasonable suspicion of the person violating conditions of parole or postrelease supervision or reasonable suspicion of criminal activity and requires a written report to the parole officer.

**Criminal Procedure: Sexually Violent Predator**

[SB407](#)   [Supplemental Note](#)   [Bill Summary](#)   Signed   Statute Book   7/1/2016  
Statutes:    Delayed Eff Date     
Bill Section

Reviving statute (KSA 59-29a18), erroneously repealed in 2015, concerning transitional release of person civilly committed under the sexually violent predator act.

**Criminal Procedure: Significantly Subaverage Intellectual Functioning**

[HB2049](#)   [CCR Brief](#)   [Bill Summary](#)   Signed   Statute Book   7/1/2016  
Statutes:    Delayed Eff Date     
Bill Section

Amends definition of "significantly subaverage general intellectual functioning" as it applies to criminal procedure on death penalty cases. This is in response to the USSC decision in Hall v. Florida.

**Criminal Procedure: Venue: Electronic Device, Crime Committed with**

[HB2501](#)   [CCR Brief](#)   [Bill Summary](#)   Signed   Statute Book   7/1/2016  
Statutes:    Delayed Eff Date     
Bill Section

Makes the definition of crime committed with electronic device a non-exclusive list by adding "including, but not limited to" to the statute. (Criminal Use of Credit Card; unlawful act concerning computers; Identity theft/fraud; electronic solicitation.) This relates to the law passed last year providing jurisdiction where the victim lives or where any part of the crime took place.

**Drones**

[SB319](#)   [CCR Brief](#)   [Bill Summary](#)   Signed   Statute Book   7/1/2016  
Statutes:    Delayed Eff Date     
Bill Section

Regulation of drones; private property rights; civil cause of action under civil stalking laws. No impact on law enforcement use. This does not create any criminal violation.

TOPIC

Bill Information Links  
Details

Status

Effective:

**Drugs: Binge Eating**

[HB2018](#)   [Supplemental Note](#)   [Bill Summary](#)

Signed

Register

Statutes: 65-2837

Delayed Eff Date

Bill Section 1

Allows doctors to prescribe certain controlled substances on schedules II, III, or IV for treatment of binge eating disorders.

**Drugs: Drug Schedule**

[HB2018](#)   [Supplemental Note](#)   [Bill Summary](#)

Signed

Register

Statutes: 65-4127e, 65-4105, 65-4109 and 65-4111

Delayed Eff Date

Bill Section 2-5

Annual Drug Schedule revisions. Adds an opiate drug, a hallucinogenic compound, and a type of carboxamide compound to schedule I and adds eluxadoline to schedule IV. The bill clarifies the spelling of psilocyn throughout the UCSA.

**Drugs: Marijuana Penalties**

[HB2462](#)   [CCR Brief](#)   [Bill Summary](#)

Signed

Statute Book

7/1/2016

Statutes: 21-5706

Delayed Eff Date

Bill Section 1

Amends the sentence for first conviction of possession of marijuana from a Class A misd to a Class B misd; the second conviction from a DSL5 felony to a Class A misd; and third and subsequent convictions remain a DSL5 felony.

**DUI Memorial Signs**

[SB245](#)   [Supplemental Note](#)   [Bill Summary](#)

Signed

Statute Book

7/1/2016

Statutes: New

Delayed Eff Date

Bill Section All

Establishes a KDOT program to allow official signs in remembrance of DUI victims. Requires a fee for the sign and a new maintenance fee to be paid every 10 years or the sign would be removed.

**Elections: Campaign Workers**

[HB2558](#)   [Supplemental Note](#)   [Bill Summary](#)

Signed

Statute Book

7/1/2016

Statutes: New

Delayed Eff Date

Bill Section 1

Prohibits cities and counties from regulating or prohibiting canvassing, polling, soliciting, or otherwise approaching private residences for the purpose of distributing campaign literature or campaigning for elective office.

**EMS: Interstate Compact**

[SB225](#)   [Supplemental Note](#)   [Bill Summary](#)

Signed

Statute Book

7/1/2016

Statutes: New

Delayed Eff Date

Bill Section

Authorizes an interstate compact for recognition of certified/licensed emergency personnel from other states. This becomes effective when ten states have joined the compact.



TOPIC

Bill Information Links  
Details

Status

Effective:

**EMS: Investigations; fines; subpoenas**

[SB224](#)   [Supplemental Note](#)   [Bill Summary](#)   Signed   Statute Book   7/1/2016

Statutes: 65-6111; 65-6130   Delayed Eff Date

Bill Section All

Allows the Board of EMS to conduct investigations, issue subpoenas for allowed documents or for persons to appear before the board or hearing, and impose fines not to exceed \$500 per violation to a licensed person in violation of the act or not to exceed \$2500 per violation to a licensed ambulance service. Gives the EMS Board access to any government held records relevant to such investigation.

**EMS: Standards and Training**

[HB2387](#)   [Supplemental Note](#)   [Bill Summary](#)   Signed   Statute Book   7/1/2016

Statutes: 65-6102, 656111, 65-6112, 65-6120, 65-6121, 65-6129b, 65-6129c, 65-6133, 65-6135, 65-6144   Delayed Eff Date

Bill Section All

EMS revisions on training and accepted practices. Amends the authorized activities of certain emergency medical services (EMS) certifications; changes the composition, powers, and duties of the Emergency Medical Services Board (EMS Board); amends certain definitions; and makes technical amendments to reflect current law.

**Firearms: Adequate Security Measures**

[HB2502](#)   [CCR Brief](#)   [Bill Summary](#)   Signed   Statute Book   7/1/2016

Statutes: 75-7c20   Delayed Eff Date

Bill Section 6 (m)(1)

The definition of "adequate security measures," the screening in public buildings closed to the carrying of a firearm, have changed to require armed personnel at the screening site. It does not appear to require all personnel to be armed.

**Firearms: CCH Permit: Military Personnel**

[HB2502](#)   [CCR Brief](#)   [Bill Summary](#)   Signed   Statute Book   7/1/2016

Statutes: 75-7c04 and 75-7c05   Delayed Eff Date

Bill Section 3, 4

Kansas residents who presents proof that such person is on active duty with any branch of the armed forces of the United States and is stationed at a United States military installation located outside this state, may submit by mail an application described in subsection (a) and the other materials required by subsection (b) to the sheriff of the county where the applicant resides. Provided the applicant is fingerprinted at a United States military installation, the applicant may submit a full set of fingerprints of such applicant along with the application. Upon receipt of such items, the sheriff shall forward to the attorney general the application and the portion of the original license fee which is payable to the attorney general. In addition, proof of training can include out-of-state training determined by the Attorney General as having training requirements equal to or greater than that required by the act.

**Firearms: CCH Permit: Training**

[HB2502](#)   [CCR Brief](#)   [Bill Summary](#)   Signed   Statute Book   7/1/2016

Statutes: 75-7c04   Delayed Eff Date

Bill Section 3 (b)(2)( C)

Proof of training can include out-of-state training determined by the Attorney General as having training requirements equal to or greater than that required by the act.

TOPIC

Bill Information Links  
Details

Status

Effective:

**Firearms: Courtrooms**

<a href="#">HB2502</a>	<a href="#">CCR Brief</a>	<a href="#">Bill Summary</a>	Signed	Statute Book	7/1/2016
Statutes: 75-7c20				Delayed Eff Date	
Bill Section 6 (h)					

The provision in statute about courtrooms was amended striking the provision that having armed personnel in the court room met the requirement for "other security measures" and instead requiring "adequate security measures" to be used to prohibit carrying a firearm into a courtroom. This would require screening in the public area prior to reaching or at all points of entrance to the courtroom. It does not require this to be done, but it is required if firearms are prohibited in the courtroom. Interesting question: Does this violate the separation of powers by taking the control of the courtroom away from the judges?

**Firearms: Public Buildings**

<a href="#">HB2502</a>	<a href="#">CCR Brief</a>	<a href="#">Bill Summary</a>	Signed	Statute Book	7/1/2016
Statutes: 75-7c20				Delayed Eff Date	
Bill Section 6					

Allows prohibiting carrying of firearms in parts of public buildings, while leaving portions of the same building open to firearms. This also includes the ability to close a portion of the building only during certain times or events. Temporary signage is allowed when necessary in areas not always closed to concealed carry.

**Firearms: Public employees when working**

<a href="#">HB2502</a>	<a href="#">CCR Brief</a>	<a href="#">Bill Summary</a>	Signed	Statute Book	7/1/2016
Statutes: 75-7c10				Delayed Eff Date	
Bill Section 5 (d), (e), (h)(3)					

Permits public employees to carry a concealed firearm while working when outside of public building. There has been some question whether this allows concealed carry on private non-business premises. A definition of public employer as used in KSA 75-7c10 is added which excludes USD employers from this statute.

**Firearms: Restricted Access Entrance**

<a href="#">HB2502</a>	<a href="#">CCR Brief</a>	<a href="#">Bill Summary</a>	Signed	Statute Book	7/1/2016
Statutes: 75-7c20				Delayed Eff Date	
Bill Section 6(d)					

Provides rules on allowing permits to be issued for certain people who are not employees to enter public buildings through a restricted access entrance. This does not allow these persons to carry concealed in areas of a building where concealed carry is properly prohibited. The person is required to complete an affidavit or notarized statement acknowledging restrictions on concealed carry and must possess a permit issued by the chief administrative officer, governing body, or chief law enforcement officer of the government entity operating the building. The governing entity must develop specific criteria for the approval of such entry.

TOPIC

Bill Information Links  
Details

Status

Effective:

**Identity Theft**

[HB2134](#)   [Supplemental Note](#)   [Bill Summary](#)   Signed   

Register	4/14/2016
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 Statutes: 

50-702
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Delayed Eff Date	1/1/2017
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 Bill Section 

All
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Requires a consumer reporting agency to place a security freeze for a protected consumer if the consumer reporting agency receives a request from the protected consumer’s representative for the placement of the security freeze. Authorizing consumer credit report security freezes for individuals less than 18 years old. These provisions are not effective until 1/1/17.

**Juvenile: CINC: Medicating a Child**

[SB418](#)   [CCR Brief](#)   [Bill Summary](#)   Signed   

Statute Book	7/1/2016
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 Statutes: 

38-2201
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Delayed Eff Date	
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 Bill Section 

8 (d)
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Clarifies that nothing in the CINC code can be construed to compel a parent to medicate a child if the parent is acting in accordance with a physician’s medical advice. A parent’s actions in these circumstances would not constitute a basis for determination that a child is a child in need of care, for the removal of custody of a child, or for the termination of parental rights without a specific showing of a causal relation between the actions and harm to the child. “Physician” would be defined as a person licensed to practice medicine and surgery by the state board of healing arts or by an equivalent licensing board or entity in any state.

**Juveniles: CINC: Access to reports**

[SB418](#)   [CCR Brief](#)   [Bill Summary](#)   Signed   

Statute Book	7/1/2016
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 Statutes: 

38-2211
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Delayed Eff Date	
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 Bill Section 

10, 11
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Amends the list of persons and entities with access to the official file and social file in a child in need of care proceeding, to add to the list any county or district attorney from another jurisdiction with a pending child in need of care matter regarding any of the same parties or interested parties.

**Juveniles: CINC: Host Families**

[SB418](#)   [CCR Brief](#)   [Bill Summary](#)   Signed   

Statute Book	7/1/2016
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 Statutes:   

Delayed Eff Date	
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 Bill Section 

1-5
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Allows the parents or guardians of a child to temporarily place a child with a host family by executing a power of attorney delegating the care of a child to the host family. The powers transferred to the host family include the powers regarding the care and custody of the child. It does not include the power to consent to marriage or adoption, the performance or inducement of an abortion, or the termination of parental rights to the child. The power of attorney requires the consent of all persons with legal custody of the child. The power of attorney could not exceed one year in duration but could be renewed for one additional year. This would not be an out of home placement and does not trump a CINC order or other court order and does not preclude any abuse/neglect investigation. The idea is to allow families in crisis a short term option when ability to care for a child is jeopardized while focusing on the issue at hand.

TOPIC

Bill Information Links  
Details

Status

Effective:

**Juveniles: Human Trafficking**

<a href="#">SB418</a>	<a href="#">CCR Brief</a>	<a href="#">Bill Summary</a>	Signed	Statute Book	7/1/2016
Statutes: 38-2202; 38-2210; 38-2231; 38-2263; 38-2264: 38-2265; 38-2287; 38-2302; 38-2310; 38-2365; 65-535; 75-7023. Also repealing 38-2310a.				Delayed Eff Date	1/1/2017
Bill Section <u>6, 9, 10, 12-22</u>					

Revisions to human trafficking laws to bring them up-to-date with recently revised federal law. DCF is required to immediately report to local law enforcement when a child is reported to DCF as a human trafficking victim or when a child in DCF custody is missing. LE is then required to make the missing person entry into NCIC and the KBI system. Defines "reasonable and prudent parenting" and "runaway" for CINC purposes. Amends definition of "sexual abuse" is clarified by expanding the list of crimes and making the list of offenses non-exclusive. The Interstate Compact for Juveniles administrator in DOC is added to the people who are allowed access law enforcement records on juveniles, the list of persons required to freely exchange information on a CINC, intake records access. The statute on when a law enforcement officer must take a juvenile into custody is amended to clarify it includes when there is probable cause the child is a runaway is permissible and changes the requirement a child be a verified missing person AND in NCIC to verified missing person OR in NCIC. Several provisions for permanency planning were amended. Effective 1/1/17 several provision regarding the staff secure facilities are amended. Allows intake records to be used by the prosecutor and courts only for diagnostic and referral purposes.

**Juveniles: Juvenile Justice Reform**

<a href="#">SB367</a>	<a href="#">CCR Brief</a>	<a href="#">Bill Brief</a>	Signed	Statute Book	7/1/2016
Statutes: 8-241; 8-2110; 12-4112; 12-4117; 20-167; 38-2202; 38-2232; 38-2242; 38-2243; 38-2260; 38-2288; 38-2302; 38-2304; 38-2313; 38-2325; 38-2330; 38-2331; 38-2332; 38-2342; 38-2343; 38-2344; 38-2346; 38-2347; 38-2360; 38-2361; 38-2364; 38-2367; 38-2368; 38-2369; 38-2371; 38-2372; 38-2373; 38-2374; 38-2375; 38-2376; 38-2377; 38-2389; 65-5603; 72-1113; 72-8222; 72-89b03; 72-89c02; 74-4914; 75-3722; 75-6704; 75-7023; 75-7038; 75-7044; 75-7046; and 79-4803. Also repealing 38-2334; 38-2335.				Delayed Eff Date	
Bill Section <u>All</u>					
Complete and extensive overhaul of the Juvenile Justice laws.					

**K-12 Schools: Suicide Awareness and Prevention Training**

<a href="#">SB323</a>	<a href="#">CCR Brief</a>	<a href="#">Bill Summary</a>	Signed	Statute Book	7/1/2016
Statutes: <u>New</u>				Delayed Eff Date	1/1/2017
Bill Section <u>1</u>					
Requires each school district to provide a minimum of 1 hour per year suicide awareness and prevention training to all school staff.					

**KHP: Funding**

<a href="#">HB2696</a>	<a href="#">CCR Brief</a>	<a href="#">Bill Summary</a>	Signed	Statute Book	7/1/2016
Statutes: <u>8-145</u>				Delayed Eff Date	
Bill Section <u>1, 2, 4</u>					
Creates a funding mechanism for additional KHP troopers through a \$2 vehicle registration fee.					

TOPIC

Bill Information Links  
Details

Status

Effective:

**KLETC: Funding**

[HB2696](#)   [CCR Brief](#)   [Bill Summary](#)   Signed   Statute Book   7/1/2016

Statutes: 8-145; 74-5619   Delayed Eff Date

Bill Section 3, 4, 5, 6

Creates a funding mechanism for KLETC through a \$1.25 vehicle registration fee. This supplements the existing docket fees from district and municipal courts.

**KPERS: Annuity Rates**

[SB168](#)   [CCR Brief](#)   [Bill Summary](#)   Signed   Statute Book   7/1/2016

Statutes: 74-49,313   Delayed Eff Date

Bill Section 11

Applying annuity interest rates for members under the KPERS act of 2015.

**KPERS: Death and Disability Contributions**

[SB168](#)   [CCR Brief](#)   [Bill Summary](#)   Signed   Statute Book   7/1/2016

Statutes: 74-4927   Delayed Eff Date

Bill Section 7

Moratorium on KPERS death and disability contributions for a portion of FY 2016 and FY 2017

**KPERS: Death Benefits**

[SB168](#)   [CCR Brief](#)   [Bill Summary](#)   Signed   Statute Book   7/1/2016

Statutes: 74-4916   Delayed Eff Date

Bill Section 6

Applies accidental death benefits for members under the KPERS act of 2015.

**KPERS: Deferred Compensation**

[SB168](#)   [CCR Brief](#)   [Bill Summary](#)   Signed   Statute Book   7/1/2016

Statutes: 74-49b10; 74-49b14; 74-49b15   Delayed Eff Date

Bill Section 12-14

Amends deferred compensation act so that deferred compensation under 401(a) and 457 plans do not enhance final average salary.

TOPIC

Bill Information Links  
Details

Status

Effective:

**KPERS: DROP**

[SB168](#)   [CCR Brief](#)   [Bill Summary](#)   Signed   Statute Book   7/1/2016  
 Statutes: 74-4986o; 74-4986p; 74-4986q   Delayed Eff Date  
 Bill Section 8-10

Technical amendment to KHP DROP program from last year. Clarifies accruals count toward FAS for those hired prior to July 1, 1993. Members of the Kansas Highway Patrol who participate in the DROP Plan, which is a voluntary pilot deferral program that was authorized in 2015, would be allowed to have their retirement benefits recalculated, taking into account any payments of the member's accumulated sick and annual leave compensation made at retirement. If the member's recalculated final average salary would be higher than the final average salary used in the calculating the member's monthly DROP accrual, then after DROP participation has been completed, which under current law may be for three to five years, the member's retirement benefit would be based on the recalculated amount. The difference between a member's monthly DROP accrual and recalculated monthly retirement benefit would be credited as a non-interest bearing lump sum to the member's account prior to ending participation in the DROP Plan.

**KPERS: Working After Retirement**

[SB168](#)   [CCR Brief](#)   [Bill Summary](#)   Signed   Statute Book   7/1/2016  
 Statutes: 46-2201; 74-4914; 74-4937; 74-4957; 49-4957a   Delayed Eff Date  
 Bill Section 1-5

Striking sunset to KPERS school working after retirement exception and extending certain working after retirement exceptions upon submission of an assurance protocol and allowing retirees to return to work for a different participating employer when such employer pays a 30% contribution rate. Also increases KP&F working after retirement earnings cap to \$25,000 from \$15,000.

**Law Enforcement Procedure: Abuse and Neglect**

[SB408](#)   [Supplemental Note](#)   [Bill Summary](#)   Signed   Statute Book   7/1/2016  
 Statutes: 38-2223; 38-2226; 75-723   Delayed Eff Date  
 Bill Section All

Child abuse or neglect cases occurring in a KDADS facility would be reported to local law enforcement authorities instead of the Attorney General. Reports of child abuse or neglect occurring in a DOC facility, including juvenile facilities, would be reported to DOC for investigation. Investigations of child abuse or neglect by employees of KDADS and DCF, or to the children of KDADS or DCF employees, would be handled by local law enforcement. Also amends duties of the Attorney General Abuse, Neglect, and Exploitation of Persons Unit, including adding a provision they "may" at the discretion of the Attorney General "(6) assist in any investigation of child abuse or neglect conducted by a law enforcement agency pursuant to K.S.A. 38-2226, and amendments thereto; and (7) assist in any investigation of adult abuse, neglect, exploitation or fiduciary abuse conducted by a law enforcement agency pursuant to K.S.A. 39-1443." Adds licensed behavior analysts and licensed assistant behavior analysts to the list of persons required to report abuse and neglect.

**Law Enforcement Procedure: Eyewitness Identification**

[HB2151](#)   [CCR Brief](#)   [Bill Summary](#)   Signed   Statute Book   7/1/2016  
 Statutes: New   Delayed Eff Date   7/1/2018  
 Bill Section 2

Requires all law enforcement agencies to have a written policy on Eyewitness Identification which includes provisions on (1) Use of blind and blinded procedures; (2) instructions to the witness that the perpetrator may or may not be present; (3) use of non-suspect fillers who are reasonably similar to the perpetrator and do not make the suspect stand out; and (4) after an identification is made by the witness, eliciting a confidence statement, in the witness's own words, regarding the level of certainty in the selection.

TOPIC

Bill Information Links  
Details

Status

Effective:

**Law Enforcement Procedure: Jurisdiction**

[HB2696](#)   [CCR Brief](#)   [Bill Summary](#)   Signed   [Statute Book](#)   7/1/2016

Statutes:    [Delayed Eff Date](#)

Bill Section

Amending jurisdiction of university of Kansas medical center police officers. Deals with property used by, but not owned by, KU and other changes.

**Law Enforcement Procedure: Missing Persons**

[SB376](#)   [Supplemental Note](#)   [Bill Summary](#)   Signed   [Register](#)   3/31/2016

Statutes:    [Delayed Eff Date](#)

Bill Section

Amends the timeline for when law enforcement is required to make NCIC entry for missing person from "when practical" to "within two hours of receipt of the minimum data required to enter a record into" NCIC. Brings statute in line with federal law and FBI-CJIS policy.

**Law Enforcement Procedure: Mutual Aid**

[HB2549](#)   [Supplemental Note](#)   [Bill Summary](#)   Signed   [Register](#)   4/7/2016

Statutes:    [Delayed Eff Date](#)

Bill Section

Sets provisions for requesting assistance from and assistance to out of state law enforcement agencies. Covers who can request, authority of out-of-state officers, and other issues of concern.

**Law Enforcement Procedure: Runaway**

[SB418](#)   [CCR Brief](#)   [Bill Summary](#)   Signed   [Statute Book](#)   7/1/2016

Statutes:    [Delayed Eff Date](#)

Bill Section

Amends the statute requiring law enforcement to take a missing juvenile into custody. Existing statute required both reason to believe the child was missing and entered in NCIC. The amended statute requires a reason to believe the child was missing or a runaway or entered as a missing person in NCIC.

**Licensing, Professional: Prior Convictions**

[HB2615](#)   [CCR Brief](#)   [Bill Summary](#)   Signed   [Statute Book](#)   7/1/2016

Statutes:    [Delayed Eff Date](#)

Bill Section

The legislature is starting to amend professional licensing statutes to allow for agencies to determine if the person has demonstrated successful rehabilitation to warrant the public trust. This provision was passed in HB2456 for Barbers and in HB2615 for health care professionals, specifically adding the provision for addiction counselors; psychologists; marriage and family therapists; and clinical professional counselor . Other professional licenses already had similar provisions that were reworded. Interestingly, in HB2615 the conference committee did not add this provision for licensing of a person performing accupuncture, which contains a prohibition based solely on a prior conviction.

TOPIC

Bill Information Links  
Details

Status

Effective:

**Livestock Branding**

[HB2480](#)   [Supplemental Note](#)   [Bill Summary](#)   Signed   

Statute Book	7/1/2016
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Statutes: 

47-414, 47-414a, 47-416, 47-417, 47-417a, 47-418, 47-420, 47-421, 47-422, 47-423, 47-426, 47-428, 47446, 47-1011a. Also repealing K.S.A. 47-418a, 47-432, 47-433, 47-434, 47-435, 47-436, 47-437, 47-438, 47-439, 47-440, 47-441, 47-442	Delayed Eff Date	
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Bill Section 

All
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Amends livestock branding law concerning application for brands, application of brands, brand inspections. Among other things, the bill 1) Clarifies any brand not renewed within 60 days (previously 120 days) of the end of its registration period will be forfeited. Retains “unlawfulness” of using a forfeited brand. 2) Creates a new class B misdemeanor for branding livestock in any manner other than as required or authorized by state law or KAR. 3) Changes penalty for falsely branding an animal owned by another person from an unclassified felony with incarceration up to 5 years to a SL6 non person felony.

-Removes Class C Misdemeanor for violation of KSA 47-422 concerning registration and recording of brands

**Mental Health Treatment: KDADS**

[SB449](#)   [CCR Brief](#)   [Bill Summary](#)   Signed   

Statute Book	7/1/2016
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Statutes: 

New; Repealing 39-1807; 75-3307b; 75-3307c	Delayed Eff Date	
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Bill Section 

All
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KDADS Secretary is given additional authority and responsibilities. These include enforcing laws relating to the hospitalization of mentally ill individuals in a psychiatric hospital and the diagnosis, care, training, or treatment of individuals receiving services through CMHCs, PRTFs for individuals with mental illness, residential care facilities or other facilities or services for individuals with mental illness, intellectual disabilities, developmental disabilities, or other disabilities; to maintain an action for an injunction against any person or facility to restrain or prevent the operation of a residential care facility, crisis residential care facility, private or public psychiatric hospital, PRTF, provider of services, CMHC, or any other facility providing services to individuals without a license; among other broad new authorities. KDADS is also prohibited from privatizing state mental hospitals without approval of the legislature.

**Mental Illness: Privatization of State Hospitals**

[SB449](#)   [CCR Brief](#)   [Bill Summary](#)   Signed   

Statute Book	7/1/2016
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Statutes: 

New	Delayed Eff Date	
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Bill Section 

18
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SB422 started as a bill to clean up statutes relating to the 2012 changes to KDADS. The Senate added a provision to prohibit KDADS from privatizing services at the State Hospitals.

**Municipal Court: District court appeals**

[SB128](#)   [CCR Brief](#)   [Bill Summary](#)   Signed   

Statute Book	7/1/2016
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Statutes: 

12-4516	Delayed Eff Date	
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Bill Section 

3
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Requires district courts to communicate dispositions in appeals cases back to municipal courts. Senate Committee added provisions for the District Court to report to the municipal court an expungement of a case appealed from a municipal court.



TOPIC

Bill Information Links  
Details

Status

Effective:

**Offender Registration: Sexting**

[HB2501](#)   [CCR Brief](#)   [Bill Summary](#)   Signed   Statute Book   7/1/2016

Statutes: 22-4902   Delayed Eff Date

Bill Section 7

Exempts the new crime of unlawful transmission of a visual depiction of a child (sexting) from offender registration.

**Offender Registration: Sexually Violent Predator**

[SB407](#)   [Supplemental Note](#)   [Bill Summary](#)   Signed   Statute Book   7/1/2016

Statutes: 22-4903, 22-4904 and 22-4905   Delayed Eff Date

Bill Section 1-3

Requires a court committing an offender under the Kansas Sexually Violent Predator Act for control, care, and treatment by the KDADS to notify the registering law enforcement agency of the county where the offender resides during commitment. Requires the AG to prepare the notice for the court to submit the electronic transmittal. The offender must register within three business days of arriving in the county where the offender is committed. The offender would not be required to update registration until placed in a reintegration facility or placed on conditional or transitional release, at which point the offender would be personally responsible for complying with KORA provisions.

**Offender Registration: Violation penalty**

[HB2463](#)   [CCR Brief](#)   [Bill Summary](#)   Signed   Statute Book   7/1/2016

Statutes: 22-4903   Delayed Eff Date

Bill Section 4

Currently all violations of KSA 22-4903, violation of offender registry act, are all person crimes. Under this bill they remain person crimes if any crime for which they must register is a person crime, but they will be a nonperson crime if the crime for which they must register is a nonperson crime.

**Open Records: Annual review**

[SB22](#)   [CCR Brief](#)   [Bill Summary](#)   Signed   Statute Book   7/1/2016

Statutes: 9-513c; 12-5374; 16-335; 17-1312e; 25-2309; 40-2,118; 40-2,118a; 40-4913; 45-229; 75-5133; 75-5664; 75-5665.   Delayed Eff Date

Bill Section 2-14

Annual review of existing exceptions to the open records laws. Of interest to Law Enforcement: Victims of sexual offenses; 911 Coordinating Council; Child sex abuse reports; emergency communications services; offender registration; certain juvenile records; juvenile offender information systems; missing persons reports; abuse, neglect, and exploitation unit in AG's Office, concealed firearms records.

TOPIC

Bill Information Links  
Details

Status

Effective:

**Open Records: Personal devices**

<a href="#">SB22</a>	<a href="#">CCR Brief</a>	<a href="#">Bill Summary</a>	Signed	Statute Book	7/1/2016
Statutes: 45-217				Delayed Eff Date	
Bill Section 10					

Would specify that communications on a personal device is subject to KORA. "Public record" means any recorded information, regardless of form or, characteristics or location, which is made, maintained or kept by or is in the possession of: (A) Any public agency; or (B) any officer or employee of a public agency pursuant to the officer's or employee's official duties and which is related to the functions, activities, programs or operations of any public agency. "Public record" shall not include: (A) Records which are owned by a private person or entity and are not related to functions, activities, programs or operations funded by public funds. As used in this subparagraph, "private person" shall not include an officer or employee of a public agency who is acting pursuant to the officer's or employee's official duties; (B) records which are made, maintained or kept by an individual who is a member of the legislature or of the governing body of any political or taxing subdivision of the state.

**Open Records: Warrant Affidavit**

<a href="#">HB2545</a>	<a href="#">CCR Brief</a>	<a href="#">Bill Summary</a>	Signed	Statute Book	7/1/2016
Statutes: 22-2302 and 22-2502				Delayed Eff Date	
Bill Section All					

Clarifies that once a court rules to release an arrest or search warrant affidavit in a KORA request the released record becomes part of the court record open to the public. Requires the prosecutor to notify any victim of an alleged crime that resulted in the issuance of the warrant (or the victim's family if the victim is deceased) of the request for disclosure. The bill clarifies the existing justification for redacting or sealing affidavits or sworn testimony that jeopardizes the safety or well being of a victim, witness, confidential source, or undercover agent, includes the physical, mental, or emotional safety of such person. Allows a magistrate to redact affidavits and sworn testimony to prevent the disclosure of information that constitutes a clearly unwarranted invasion of personal privacy, as defined by the bill.

**Public Speech**

<a href="#">SB319</a>	<a href="#">CCR Brief</a>	<a href="#">Bill Summary</a>	Signed	Statute Book	7/1/2016
Statutes: New				Delayed Eff Date	
Bill Section 1					

Enact the "Public Speech Protection Act," protecting the constitutional right to petition, speak freely, associate freely, and otherwise participate in government to the maximum extent permitted by law while, at the same time, protecting the rights of a person to file meritorious lawsuits for demonstrable injury.

**Rental Property Inspection Limitations**

<a href="#">SB366</a>	<a href="#">CCR Brief</a>	<a href="#">Bill Summary</a>	Signed	Statute Book	7/1/2016
Statutes: New				Delayed Eff Date	
Bill Section 3					

Prohibits cities or counties from adopting, enforcing or maintaining a residential property licensing ordinance or resolution which includes a requirement for periodic interior inspections of privately owned residential property for city or county code violations unless the lawful occupant has consented to such interior inspections. This subsection shall not apply to inspections of mixed-use residential and commercial property. It does not prohibit a city or county from conducting plan reviews, periodic construction inspections or final occupancy inspections as required by building permits.

TOPIC

Bill Information Links  
Details

Status

Effective:

**Rural Broadband**

[HB2131](#)   [Supplemental Note](#)   [Bill Summary](#)   Signed   Statute Book   7/1/2016

Statutes: 17-1902   Delayed Eff Date

Bill Section 1, 2

17-1902; 66-2004; 66-2005; 66-2007; 66-2008; 66-2017

**Schools: Air guns**

[HB2502](#)   [CCR Brief](#)   [Bill Summary](#)   Signed   Statute Book   7/1/2016

Statutes: New and 72-89a01   Delayed Eff Date

Bill Section 1, 2

Allows air guns on K-12 school grounds and in K-12 schools for organized programs.

**Schools: K-12: Restraint of student**

[SB193](#)   [CCR Brief](#)   [Bill Summary](#)   Signed   Statute Book   7/1/2016

Statutes: 72-89d01, 72-89d02, 72-89d03, 72-89d04, 72-89d05, 72-89d06 and 72-89d08   Delayed Eff Date

Bill Section All

Restricts use of physical and chemical (medication) restraint of K-12 students. Appears to apply only to school personnel. Also includes reporting and review requirements.

**Sentencing: Absconder**

[HB2463](#)   [CCR Brief](#)   [Bill Summary](#)   Signed   Statute Book   7/1/2016

Statutes: 22-3716   Delayed Eff Date

Bill Section 3

Fixes a gap from a law change a few years ago that unintentionally required an absconder to serve quick dip county jail time before they could be considered for prison time.

**Sentencing: Criminal History**

[HB2463](#)   [CCR Brief](#)   [Bill Summary](#)   Signed   Statute Book   7/1/2016

Statutes: 21-6810; 21-6811   Delayed Eff Date

Bill Section 1, 2

Juvenile adjudications for SL5-10 felony, any drug felony, any non-grid felony or misdemeanor offenses do not count in adult criminal history considerations when the new crime of conviction occurred after the offender reaches 25 years of age.

**Sentencing: Good Time Credits**

[HB2447](#)   [Supplemental Note](#)   [Bill Summary](#)   Signed   Register   4/14/2016

Statutes: 21-6821   Delayed Eff Date

Bill Section 1

HB2447 Allows DOC to apply the increases in good time and program credits passed in 2015 to be applied retroactively. That was the intent when passed last year.

TOPIC

Bill Information Links  
Details

Status

Effective:

**Sentencing: Parents early release**

[HB2151](#)   [CCR Brief](#)   [Bill Summary](#)   Signed   Statute Book   7/1/2016

Statutes:    Delayed Eff Date

Bill Section

Creating a program for early release from incarceration to home release for parents sentenced on a SL4-10 or any DSL 3-5 drug crime who have custody of a minor child if they meet the statutory conditions. The requirements include less than 12 months left on the sentence, no prior conviction for a sex offense or non-drug inherently dangerous felony. Release is at the discretion of DOC.

**Sentencing: Program Credits**

[HB2447](#)   [Supplemental Note](#)   [Bill Summary](#)   Signed   Register   4/14/2016

Statutes:    Delayed Eff Date

Bill Section

Increases the maximum Program Credits from 90 days to 120 days.

**State IT: Audit Reports**

[HB2442](#)   [Supplemental Note](#)   [Bill Summary](#)   Signed   Statute Book   7/1/2016

Statutes:    Delayed Eff Date

Bill Section

Limits which government officials may receive technology audit written reports.

**Student Online Personal Protection Act**

[HB2008](#)   [CCR Brief](#)   [Bill Summary](#)   Signed   Statute Book   7/1/2016

Statutes:    Delayed Eff Date

Bill Section

Prohibits an operator (defined as the operator of an educational online product with actual knowledge the product is used primarily for educational purposes and was designed and marketed for educational purposes) from knowingly releasing student information for certain purposes or under certain conditions. Has a provision specifically allowing release to law enforcement or to a court of competent jurisdiction to protect the safety or integrity of users of the operator's educational online product or other individuals, or the security of such educational online product. Provides for enforcement by AG or District/County Attorney via civil action.

**Taxes: Tax Lid**

[HB2088](#)   [CCR Brief](#)   [Bill Summary](#)   Signed   Statute Book   7/1/2016

Statutes:    Delayed Eff Date

Bill Section

This bill amends the tax lid law passed last year. It moves the effective date from January 1, 2018 to January 1, 2017, and implements a five-year rolling average of the inflation rate. The bill also adds some exemptions. Among those exemptions are 1) Court judgments, settlements, and legal costs of legal actions against the cities or counties; 2) expenditures specifically mandated by federal or state law becoming effective after July 1, 2015; 3) Expenses relating to certain federal, state, or local disasters or emergencies declared by a federal or state official (including certain financial emergencies). Boards of county commissioners may request the Governor to declare such disaster or emergency; and 4) Expenditures used exclusively for increased law enforcement, fire protection, or emergency medical services above the rate of inflation.

TOPIC

Bill Information Links  
Details

Status

Effective:

**Traffic Law: DUI: Admin Hearing**

[HB2289](#)   [Supplemental Note](#)   [Bill Summary](#)   Signed   Statute Book   7/1/2016

Statutes: 8-1002 and 8-1020   Delayed Eff Date

Bill Section All

In administrative hearings for DUI test failure or refusal, the argument a stop was not constitutional is preserved for an appeal to the courts, but not subject to decision in the administrative hearing. A person facing an administrative hearing has a right to the police reports prior to the hearing, but must pay no more than \$0.25 per page for the reports.

**Traffic Law: HazMat**

[SB349](#)   [Supplemental Note](#)   [Bill Summary](#)   Signed   Register   4/21/2016

Statutes: New   Delayed Eff Date

Bill Section All

Exempts Class A commercial operators from hazardous material requirements when hauling less than 1000 gals of diesel as a custom harvester, agrichemical business, farm retail outlet, or livestock feeder.

**Traffic Law: Length Limits: Harvesters**

[SB99](#)   [Supplemental Note](#)   [Bill Summary](#)   Signed   Register   4/14/2016

Statutes: 8-1904   Delayed Eff Date

Bill Section 1

Truck tractor with two trailer combination or one truck tractor semitrailer combination used in transporting equipment utilized by custom harvesters under contract to agricultural producers to harvest commodities shall not exceed 81.5 feet, excluding load overhang.

**Traffic Law: Length Limits: Vehicle Haulers: Stinger Steered**

[SB99](#)   [Supplemental Note](#)   [Bill Summary](#)   Signed   Register   4/14/2016

Statutes: 8-1904   Delayed Eff Date

Bill Section 1

Increased maximum length of "stinger-steered" vehicles used to transport motor vehicles from 75 feet to 80 feet. Also increased allowable front load overhang from 3' to 4', and allowable rear overhang from 4' to 6' for auto haulers.

**Traffic Law: Motorcycle DL and Temporary Tag**

[HB2522](#)   [CCR Brief](#)   [Bill Summary](#)   Signed   Statute Book   7/1/2016

Statutes: 8-235   Delayed Eff Date

Bill Section 4

Technical amendment to correct a statute that still references a 30-day registration permit. This statute deals with exempting motorcycle operators from a class M license while the temporary registration permit is valid.

**Traffic Law: Speed Limit**

[HB2610](#)   [CCR Brief](#)   [Bill Summary](#)   Signed   Statute Book   7/1/2016

Statutes: 8-1559   Delayed Eff Date

Bill Section 5

Allows the speed limit on any non-urban highway to be set at 70 mph on highway where the statute otherwise establishes a 65 mph speed limit.

TOPIC

Bill Information Links  
Details

Status

Effective:

**Traffic Law: Weight limit**

[SB99](#)   [Supplemental Note](#)   [Bill Summary](#)   Signed   [Register](#)   4/14/2016

Statutes: 8-1909   [Delayed Eff Date](#)

Bill Section 4

Allows a vehicle operated by an engine fueled primarily by natural gas to exceed the vehicle weight limits in a statute limiting axle weights by an amount equal to the difference between the weight attributable to the natural gas tank and fueling system and the weight of a comparable diesel tank and fueling system, up to a maximum gross vehicle weight of 82,000 pounds.

**Traffic: DL Photos**

[HB2522](#)   [CCR Brief](#)   [Bill Summary](#)   Signed   [Statute Book](#)   7/1/2016

Statutes: 8-240; 8-243; 8-1324   [Delayed Eff Date](#)

Bill Section 1, 2, 3

Changes the photo requirement for DL applications from "colored digital photograph" to "digital color image or photograph or black and white laser engraved photograph."

**Traffic: DL: Electronic Renewal**

[HB2522](#)   [CCR Brief](#)   [Bill Summary](#)   Signed   [Statute Book](#)   7/1/2016

Statutes: 8-240   [Delayed Eff Date](#)

Bill Section 1

Allows an electronic renewal of driver's licenses for those who are ages of 21 to 65, whose most recent renewal was not electronic, is not a registered offender, and whose license is not temporary while in the US.

**Traffic: DL: Motorized Bicycle**

[HB2522](#)   [CCR Brief](#)   [Bill Summary](#)   Signed   [Statute Book](#)   7/1/2016

Statutes: 8-235   [Delayed Eff Date](#)

Bill Section 4

A \$40 application fee for a motorized bicycle driver's license is created for a person applying while license is suspended. Current restrictions for such licenses remain in place.

**Traffic: Liability Insurance**

[HB2446](#)   [CCR Brief](#)   [Bill Summary](#)   Signed   [Statute Book](#)   7/1/2016

Statutes: 40-3107   [Delayed Eff Date](#)   1/1/2017

Bill Section 1

Raises the minimum required liability insurance coverage for property damage from \$10k to \$25k. Bodily injury minimums are not changed. Requires legislative review for necessary adjustments every 10 years beginning in 2026.

**Traffic: License Plates: Specialty**

[HB2473](#)   [CCR Brief](#)   [Bill Summary](#)   Signed   [Statute Book](#)   7/1/2016

Statutes: New   [Delayed Eff Date](#)

Bill Section 1

Specialty plate for Alzheimer's Disease Awareness.

TOPIC

Bill Information Links  
Details

Status

Effective:

**Traffic: License Plates; Military Decals**

[HB2473](#)   [CCR Brief](#)   [Bill Summary](#)   Signed   Statute Book   7/1/2016

Statutes: 8-1,156   Delayed Eff Date   1/1/2017

Bill Section 2

Adds Combat Action Badge to existing military decals allowed to be displayed on veterans related license plates. Decals must be of military awards earned by vehicle owner and must be purchased from DMV. Expands eligible tags from Purple Heart Tag; US military tag; military veteran tag to any tag in which the owner has to show proof of military service. Existing list allowable decals includes Silver Star; Bronze Star; Combat Medical Badge; Combat Infantry Badge; Navy/Marine Corps Combat Action Ribbon; Army Distinguished Service Cross; Navy Cross; Air Force Cross; Distinguished Flying Cross.

**Traffic: Registration and Unpaid Toll Lien**

[SB373](#)   [CCR Brief](#)   [Bill Summary](#)   Signed   Statute Book   7/1/2016

Statutes: 8-173   Delayed Eff Date   1/1/2018

Bill Section All

Prohibiting registration of vehicles with lien for unpaid tolls. Unpaid toll may be paid to county treasurer at time of registration. County treasurer retains 15% of collected fee.

**Traffic: Travel Trailer Titles**

[HB2563](#)   [CCR Brief](#)   [Bill Summary](#)   Signed   Statute Book   7/1/2016

Statutes: 8-197; 8-198; 8-199   Delayed Eff Date

Bill Section All

Creates non-highway or salvage titles for travel trailers. Currently travel trailers coming into Kansas with no highway or salvage titles from another state are not allowed to be issued such titles and receive a full title. This is being used to "wash" out-of-state titles and misrepresent damaged trailers.

**Traffic: Wrecker Services: County Clerks**

[HB2473](#)   [CCR Brief](#)   [Bill Summary](#)   Signed   Statute Book   7/1/2016

Statutes: Repeals 8-1107   Delayed Eff Date

Bill Section 4

Repeals requirement for wrecker services to file notices, publications, and affidavits with county clerks. (KSA 8-1107)

**Traffic: Wrecker Services; Towing from Private Property**

[HB2473](#)   [CCR Brief](#)   [Bill Summary](#)   Signed   Statute Book   7/1/2016

Statutes: 8-1103   Delayed Eff Date

Bill Section 3

Amends law regarding a city ordinance or county resolution authorizing the towing of vehicles from private property and specifying the existing requirements for such ordinance or resolution to include maximum rates, owner's access to private property, and reporting the towing to law enforcement by stating such ordinance or resolution only applies to the towing of vehicles from private property.

TOPIC

Bill Information Links  
Details

Status

Effective:

**Unemployment: Reconciliation Bill**

[HB2285](#)   [Supplemental Note](#)   [Bill Summary](#)   Signed   Statute Book   7/1/2016

Statutes: 44-706; Repealing 17-7673b; 17-7674b, 17-7677b, 38-2310a, 44-706c, 59-29a24a and 65-2895a.   Delayed Eff Date

Bill Section All

Reconciles conflicts created by bills previously passed in a single statute dealing with unemployment benefits. Also repealed several duplicative statutes on various topics, including disclosure of certain law enforcement and court records on juveniles; sexually violent predators; denial of employment security law claims.

**Work Comp: Electronic Claim Filing**

[HB2617](#)   [CCR Brief](#)   [Bill Summary](#)   Signed   Statute Book   7/1/2016

Statutes: 44-510i; 44-550b; 44-534; 44-536a   Delayed Eff Date

Bill Section All

Allows for an electronic claim filing system to be implemented. Also makes changes to the administration of the System. The bill also would broaden an exception to the open records exemptions to include state agency access for the purposes of child support enforcement.

**Work Comp: Technical amendment**

[HB2285](#)   [Supplemental Note](#)   [Bill Summary](#)   Signed   Statute Book   7/1/2016

Statutes: 44-706   Delayed Eff Date

Bill Section 1

Corrects incorrect statute reference in Subsection (a)(12)(B)(iii).

More Legislative Information Available at [www.KsLawEnforcementInfo/2016-session.html](http://www.KsLawEnforcementInfo/2016-session.html)