

# 2016 Passed KCJIS Related Legislative Topics

Saturday, July 02, 2016

## TOPIC

Bill Information Link  
Details

Status

Effective:

### Body Cameras: KORA

[SB22](#)

[CCR brief](#)

[Bill Summary](#)

Signed

Statute Book

7/1/2016

Statutes

Delayed Eff Dat

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.

### Criminal Procedure: KCJIS Records

[SB362](#)

[Supplemental Note](#)

[Bill Summary](#)

Signed

Statute Book

7/1/2016

Statutes

Delayed Eff Dat

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.

### Juveniles: Juvenile Justice Reform

[SB367](#)

[CCR Brief](#)

[Bill Brief](#)

Signed

Statute Book

7/1/2016

Statutes

Delayed Eff Dat

Complete and extensive overhaul of the Juvenile Justice laws. More details are available at [www.KsLawEnforcementInfo.com/juvenile-justice-reform.html](http://www.KsLawEnforcementInfo.com/juvenile-justice-reform.html).

### KPERS: Annuity Rates

[SB168](#)

[CCR Brief](#)

[Bill Summary](#)

Signed

Statute Book

7/1/2016

Statutes

Delayed Eff Dat

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

Delayed Eff Dat

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

TOPIC

[Bill Information Link](#)  
Details

Status

Effective:

**KPERS: Death Benefits**

<a href="#">SB168</a>	<a href="#">CCR Brief</a>	<a href="#">Bill Summary</a>	Signed	Statute Book	7/1/2016
Statutes <input type="text" value="74-4916"/>				Delayed Eff Dat	<input type="text"/>

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

**KPERS: Deferred Compensation**

<a href="#">SB168</a>	<a href="#">CCR Brief</a>	<a href="#">Bill Summary</a>	Signed	Statute Book	7/1/2016
Statutes <input type="text" value="74-49b10; 74-49b14; 74-49b15"/>				Delayed Eff Dat	<input type="text"/>

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

**Law Enforcement Procedure: Jurisdiction**

<a href="#">HB2696</a>	<a href="#">CCR Brief</a>	<a href="#">Bill Summary</a>	Signed	Statute Book	7/1/2016
Statutes <input type="text" value="22-2401a; 76-726"/>				Delayed Eff Dat	<input type="text"/>

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**

<a href="#">SB376</a>	<a href="#">Supplemental Note</a>	<a href="#">Bill Summary</a>	Signed	Register	3/31/2016
Statutes <input type="text" value="75-712c"/>				Delayed Eff Dat	<input type="text"/>

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**

<a href="#">HB2549</a>	<a href="#">Supplemental Note</a>	<a href="#">Bill Summary</a>	Signed	Register	4/7/2016
Statutes <input type="text" value="New"/>				Delayed Eff Dat	<input type="text"/>

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.

**Open Records: Annual review**

<a href="#">SB22</a>	<a href="#">CCR Brief</a>	<a href="#">Bill Summary</a>	Signed	Statute Book	7/1/2016
Statutes <input type="text" value="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 Dat	<input type="text"/>

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 Link  
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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 Dat	

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.

**Rural Broadband**

<a href="#">HB2131</a>	<a href="#">Supplemental Note</a>	<a href="#">Bill Summary</a>	Signed	Statute Book	7/1/2016
Statutes	17-1902; 66-2004; 66-2005; 66-2007; 66-2008; 66-2017			Delayed Eff Dat	

Creates new law for placement of wireless telecommunications infrastructure and the permit application process between wireless service providers and municipalities. States the Kansas Legislature finds wireless facilities are critical for Kansas citizens to have access to broadband and the facilities are matters of statewide concern and interest. Wireless service providers have the right to construct, maintain, and operate wireless services along, across, upon, under, or above the public right-of-way. The bill further specifies this provision should not be interpreted to grant any right to construct, maintain, or operate wireless services on property owned by the authority outside the public right-of-way. The authority may prohibit use or occupation of a part of the public right-of-way due to a reasonable public interest, so long as the reason is competitively neutral and not unreasonable or discriminatory. Wireless services providers are required to repair damage to a public right-of-way that is caused by the activities of that provider or provider's agent while occupying, installing, repairing, or maintaining facilities in the public right-of-way. The authority also will have the ability to request a wireless services provider to relocate or adjust its facilities within the public right-of-way at no cost to the authority, as long as the request similarly binds all users of the right-of-way. Wireless services providers are required to indemnify and hold the authority harmless against any claims, lawsuits, judgments, costs, liens, losses, expenses, and fees caused by the negligence of the wireless services or infrastructure provider. An authority may enter into a lease with an applicant for the use of public lands, buildings, and facilities, with the offered leases being at least ten years in duration, unless otherwise agreed to by both the applicant and the authority, and at market rates. Charges for placement of wireless facilities on public lands, if the authority chooses to charge, are required to be competitively neutral and not unreasonable, discriminatory, or in violation of existing federal or state law.

**State IT: Audit Reports**

<a href="#">HB2442</a>	<a href="#">Supplemental Note</a>	<a href="#">Bill Summary</a>	Signed	Statute Book	7/1/2016
Statutes	46-1135			Delayed Eff Dat	

Limits which government officials may receive technology audit written reports.

**Traffic Law: DUI: Admin Hearing**

<a href="#">HB2289</a>	<a href="#">Supplemental Note</a>	<a href="#">Bill Summary</a>	Signed	Statute Book	7/1/2016
Statutes	8-1002 and 8-1020			Delayed Eff Dat	

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.

TOPIC

[Bill Information Link](#)  
Details

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Effective:

**Traffic: DL Photos**

[HB2522](#)   [CCR Brief](#)   [Bill Summary](#)   Signed   

Statute Book	7/1/2016
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Statutes 

8-240; 8-243; 8-1324
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Delayed Eff Dat	
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Changes the photo requirement for DL applications from "colored digital photograph" to "digital color image or photograph or black and white laser engraved photograph." This is authorizing legislatin and does not require the change. It is a security feature making photo altering of a DL more difficult. DMV tells us any change the photos on the DL will not happen anytime soon and color photos will still be available through the KCJIS system.

**Traffic: License Plates: Specialty**

[HB2473](#)   [CCR Brief](#)   [Bill Summary](#)   Signed   

Statute Book	7/1/2016
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Statutes 

New
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Delayed Eff Dat	
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Specialty plate for Alzheimer's Disease Awareness.

**Traffic: License Plates; Military Decals**

[HB2473](#)   [CCR Brief](#)   [Bill Summary](#)   Signed   

Statute Book	7/1/2016
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Statutes 

8-1,156
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Delayed Eff Dat	1/1/2017
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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.

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