

2014 LAW ENFORCEMENT RELATED LEGISLATION

SIGNED LAW - SORTED INTO CATEGORIES

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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	Criminal Law	False Alarm	
Status	Signed by Governor			
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	Criminal Law	False Complaint Against a LEO	
Status	Signed by Governor			
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:	HB2448 NOTE	HB2448 Summary	
Effective Date	7/1/2014	Criminal Law	Interference with Judicial Process	
Status	Signed by Governor			
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 Criminal Law Interference with Law Enforcement

Status Signed by Governor

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 Criminal Law Medicaid Fraud

Status Signed by Governor

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 Criminal Law Mistreatment of dependent adult or elder

Status Signed by Governor

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 Dependent Adult Cleanup** 117

HB2389	2014 Session Law Chapter:	HB2389 NOTE	HB2389 Summary
Effective Date	7/1/2014	Criminal Law	Mistreatment of Dependent Adult Cleanup
Status	Signed by Governor		
Statutes Changed	21-5417		
Detail	SB256 was passed earlier in the year and it had two revisor technical errors this bill corrects. The term "recklessly" was placed in the wrong place.		

Mistreatment of Elder person 145

SB256	2014 Session Law Chapter:	90	SB256 NOTE	SB256 Summary
Effective Date	7/1/2014	Criminal Law	Mistreatment of dependent adult or elder	
Status	Signed by Governor			
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.			

RICO 18

SB256	2014 Session Law Chapter:	90	SB256 NOTE	SB256 Summary
Effective Date	7/1/2014	Criminal Law	RICO	
Status	Signed by Governor			
Statutes Changed	21-6328; 21-6329			
Detail	Amends Kansas RICO Act by establishing the culpability requirement is "recklessly." It clarifies it is not a RICO violation under the collection of an unlawful debt provision if the person did not participate in the illegal activity creating the debt. It also updated some terms in the definition of "racketeering activity" and to add the crime of commercial sexual exploitation of a child.			

Criminal Law

RICO Cleanup				116
HB2389	2014 Session Law Chapter:	HB2389 NOTE	HB2389 Summary	
Effective Date	7/1/2014	Criminal Law	RICO Cleanup	
Status	Signed by Governor			
Statutes Changed	21-6329			
Detail	SB256 was passed earlier in the year and it had two revisor technical errors this bill corrects. The term "recklessly" was placed in the wrong place.			
Securities Fraud				12
HB2433	2014 Session Law Chapter:	HB2433 NOTE	HB2433 Summary	
Effective Date	7/1/2014	Criminal Law	Securities Fraud	
Status	Signed by governor			
Statutes Changed	17-12a508; 17-12a601			
Detail	A violation of the Kansas Uniform Securities Act committed against an elder person 60 years of age or older), would be increased by one severity level. It is not be a defense the offender did not know the age of the victim or believed the victim was not an elder person. Funds from the "Investor Education and Protection Fund" may be used for enforcement and prosecution of securities fraud.			
Sexual Relations, Unlawful				63
SB256	2014 Session Law Chapter:	SB256 NOTE	SB256 Summary	
Effective Date	7/1/2014	Criminal Law	Sexual Relations, Unlawful	
Status	Signed by Governor			
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:	HB2463 NOTE	HB2463 Summary	
Effective Date	7/1/2014	Criminal Law	Terrorism	
Status	Signed by Governor			
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 Law

Criminal Law

PTSD from military combat				9
HB2655	2014 Session Law Chapter:	95	HB2655 NOTE	HB2655 Summary
Effective Date	7/1/2014	Criminal Law	Sentencing	
Status	Signed by Governor			
Statutes Changed	New			
Detail	Creates a path for a person sentenced for offenses where there is presumptive nonprison sanctions in the sentencing grid, or if the defendant qualifies for drug treatment sentencing may be sentenced to treatment if it is shown the offender has PTSD resulting from military combat duty.			

Criminal Procedure

Appeals: Appellate Court Mandates				140
HB2389	2014 Session Law Chapter:		HB2389 NOTE	HB2389 Summary
Effective Date	7/1/2014	Criminal Procedure	Appeals: Appellate Court Mandates	
Status	Signed by Governor			
Statutes Changed	22-3605			
Detail	Provides the issuance of the mandate from the appellate court in criminal and related appeals would be automatically stayed when a party files notice that it intends to petition the U.S. Supreme Court for a writ of certiorari and the time to file such petition has not expired.			

Appeals: fees to Attorney General				20
SB256	2014 Session Law Chapter:	90	SB256 NOTE	SB256 Summary
Effective Date	7/1/2014	Criminal Procedure	Appeals; fees to Attorney General	
Status	Signed by Governor			
Statutes Changed	22-3612			
Detail	Allows the Attorney General to recover reasonable costs of representation from the county general fund, pursuant to an agreement with the Attorney General, for the AG's assistance in appeals. The AG may develop a schedule of costs not to exceed the statutory rate of compensation for attorneys appointed to represent indigent persons (currently \$80 per hour). But the AG may enter into agreements with county or district attorneys for the payment of such costs superseding costs on the schedule of costs.			

Bond Agents: Out of state				65
SB256	2014 Session Law Chapter:	90	SB256 NOTE	SB256 Summary
Effective Date	7/1/2014	Criminal Procedure	Surety Bonds	
Status	Signed by Governor			
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.			

Criminal Procedure**Bonds: Surety vs. OR**

64

[SB256](#) 2014 Session Law Chapter: [90](#) [SB256 NOTE](#) [SB256 Summary](#)Effective Date [7/1/2014](#) Criminal Procedure Surety Bonds

Status Signed by Governor

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.

Courts: Decision deadlines

69

[HB2446](#) 2014 Session Law Chapter: [90](#) [HB2446 NOTE](#) [HB2446 Summary](#)Effective Date [7/1/2014](#) Criminal Procedure Court decision deadlines

Status Signed by Governor

Statutes Changed New statute

Detail A district court must issue a decision on a motion or non-jury trial within 120 days after final submission. If not issued within 120 days all counsel must file a joint request for the decision to be entered without further delay. The Court of Appeals and the Supreme Court are required to issue a decision on a motion or an appeal within 180 days after submission. If the decision is not issued within 180 days all counsel must file a request for the decision to be entered without further delay. Upon such notices the district court, appeals court, or supreme court must enter a decision or provide a date by which a decision will be entered within 30 days of that filing. If the court fails to enter a decision or provide a date for decision within 30 days, all counsel must file a joint request with the chief judge to establish an intended decision date. Any of those writings are public record.

Discovery

25

[HB2445](#) 2014 Session Law Chapter: [34](#) [HB2445 NOTE](#) [HB2445 Summary](#)Effective Date [7/1/2014](#) Criminal Procedure Discovery

Status Signed by Governor

Statutes Changed [22-3213](#)

Detail Clarifies the defense, not the defendant individually, is entitled to access discovery materials.

Criminal Procedure

DNA Collection Methods at Time of Arrest 55

HB2448	2014 Session Law Chapter:	HB2448 NOTE	HB2448 Summary
Effective Date	7/1/2014	Criminal Procedure	DNA Collection at Time of Arrest
Status	Signed by Governor		
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.		

DUI: Expungement 54

HB2448	2014 Session Law Chapter:	HB2448 NOTE	HB2448 Summary
Effective Date	7/1/2014	Criminal Procedure	Expungement
Status	Signed by Governor		
Statutes Changed	21-6614; Repeals 21-6614d		
Detail	Reduces the waiting period for diversion for DUI from ten years to seven years. Also raises the expungement period for a conviction of or diversion for refusal to submit to an alcohol or drug test from three years to seven years.		

Electronic Crimes 31

HB2478	2014 Session Law Chapter:	HB2478 NOTE	HB2478 Summary
Effective Date	7/1/2014	Criminal Procedure	Venue
Status	Signed by Governor		
Statutes Changed	New		
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 Procedure**Expert Witness**

26

[HB2445](#) 2014 Session Law Chapter: [34](#) [HB2445 NOTE](#) [HB2445 Summary](#)Effective Date [7/1/2014](#) Criminal Procedure Expert Witness

Status Signed by Governor

Statutes Changed [22-3212](#)

Detail Amends expert witness requirements making disclosures of testimony foundation due in a reasonable time prior to trial by agreement of the parties or by order of the court (instead of 30 days before trial). The same rules apply to the prosecution for any prosecutions expert witness.

Homicide: Attempted Capital Murder: Sentencing

133

[HB2490](#) 2014 Session Law Chapter: [34](#) [HB2490 NOTE](#) [HB2490 Summary](#)Effective Date [7/1/2014](#) Criminal Procedure Sentencing: Attempted Capital Murder

Status Signed by Governor

Statutes Changed [21-5301](#)

Detail Attempted capital murder is now exempt from the provisions of KSA 21-5301, resulting in the sentence for an attempted capital murder to remain off-grid, like for a completed capital murder. A Hard 25 sentence is the default for a conviction of attempted capital murder or for a conviction of first degree murder when classified as the killing of a human being committed in the commission of, attempt to commit, or flight from any inherently dangerous felony (felony murder). If the defendant's criminal history places them on the sentencing grid providing a sentence of more than the imposed mandatory minimum, the sentencing grid minimum becomes the mandatory minimum.

Homicide: Commutation Limitations

135

[HB2490](#) 2014 Session Law Chapter: [34](#) [HB2490 NOTE](#) [HB2490 Summary](#)Effective Date [7/1/2014](#) Criminal Procedure Sentencing: Limitations on commutations

Status Signed by Governor

Statutes Changed [22-3705](#)

Detail The Governor may only commute a death penalty sentence to life imprisonment without the possibility of parole. The governor may not commute a sentence to life imprisonment.

Homicide: Death Sentence: Functional incapacitation release

136

[HB2490](#) 2014 Session Law Chapter: [34](#) [HB2490 NOTE](#) [HB2490 Summary](#)Effective Date [7/1/2014](#) Criminal Procedure Sentencing: Functional incapacitation release

Status Signed by Governor

Statutes Changed [22-3728](#)

Detail A person under sentence of death or life without parole is not eligible for functional incapacitation release.

Criminal Procedure

Homicide: Felony Murder: Minimum sentence				142
HB2490	2014 Session Law Chapter:	HB2490 NOTE	HB2490 Summary	
Effective Date	7/1/2014	Criminal Procedure	Sentencing: Felony Murder: Minimum sent	
Status	Signed by Governor			
Statutes Changed	22-3728			
Detail	An offender convicted of KSA 21-5402 (a)(2), first degree murder committed in the commission, attempt, or flight from an inherently dangerous felony, is included in the rule that when eligible for parole from a 25 year minimum sentence they cannot have the 25 year minimum reduced by good time credits.			
Homicide: Premeditated first degree: Sentencing				57
HB2490	2014 Session Law Chapter:	HB2490 NOTE	HB2490 Summary	
Effective Date	7/1/2014	Criminal Procedure	Sentencing: Murder	
Status	Signed by Governor			
Statutes Changed				
Detail	A life sentence with a mandatory minimum term of imprisonment of 50 years is the default sentence when a defendant is convicted of premeditated first degree murder committed on or after July 1, 2014. The court is permitted to impose a life sentence with a mandatory minimum term of imprisonment of 25 years if the judge finds substantial and compelling mitigating circumstances. A Hard 25 sentence is the default for a conviction of attempted capital murder or for a conviction of first degree murder when classified as the killing of a human being committed in the commission of, attempt to commit, or flight from any inherently dangerous felony (felony murder). If the defendant's criminal history places them on the sentencing grid providing a sentence of more than the imposed mandatory minimum, the sentencing grid minimum becomes the mandatory minimum.			

Criminal Procedure

Human Trafficking 28

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

Effective Date 7/1/2014 Criminal Procedure Human Trafficking

Status Signed by Governor

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.

Jury Conduct 53

[HB2448](#) 2014 Session Law Chapter: [22](#) [HB2448 NOTE](#) [HB2448 Summary](#)

Effective Date 7/1/2014 Criminal Procedure Jury conduct

Status Signed by Governor

Statutes Changed 22-3420

Detail Requires jurors to immediately report any attempt by another person to converse with them about the case. Also provides the jury has a duty not to make any final determinations or express any opinion on any subject of the trial until the case is finally submitted to them. The court may allow the jury to take evidence into deliberations. The court could provide equipment to facilitate review of the evidence by the jurors. Any question the jury needs to ask the court must be signed, dated, and submitted in writing to the bailiff. The court must give an opportunity to the parties to discuss an appropriate response. Requires the court to respond to all questions from a deliberating jury in open court or in writing and would allow the court to grant a jury's request to rehear testimony. Requires the defendant to be present during the discussion of such written questions and during response given in open court, unless such presence is waived.

Criminal Procedure

Jury: Grand Jury 27

SB310	2014 Session Law Chapter: 50	SB310 NOTE	SB310 Summary
Effective Date	7/1/2014	Criminal Procedure	Juries, Grand
Status	Signed by Governor		
Statutes Changed	22-3001, 22-3011, 22-3015		
Detail	Allows grand juries summoned upon the petition of the Attorney General or a district or county attorney to consider any alleged misdemeanor that arises as part of the same criminal conduct or investigation underlying any alleged felony considered by the grand jury. It also allows a grand jury impaneled through elector petition to request that the Attorney General prosecute the case arising from an indictment, if the grand jury is of the opinion that the prosecuting attorney would not diligently prosecute the case. The court shall notify the Attorney General of the request and the Attorney General may prosecute the case. Allows the court to amend a grand jury indictment regarding the substance of the offense charged for the limited purpose of effectuating a change of plea pursuant to a plea agreement between the defendant and the prosecution. This provision does not apply to grand juries impaneled through elector petition.		

Juveniles: Alternative adjudication 21

HB2588	2014 Session Law Chapter:	HB2588 NOTE	HB2588 Summary
Effective Date	7/1/2014	Criminal Procedure	Juvenile adjudication
Status	Signed by Governor		
Statutes Changed	New		
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.		

Juveniles: CINC: Incarceration 126

HB2588	2014 Session Law Chapter:	HB2588 NOTE	HB2588 Summary
Effective Date	7/1/2014	Criminal Procedure	Juvenile: CINC: Incarceration
Status	Signed by Governor		
Statutes Changed	New		
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.		

Criminal Procedure**Juveniles: Good Time Credit** 129

HB2588	2014 Session Law Chapter:	HB2588 NOTE	HB2588 Summary
Effective Date	7/1/2014	Criminal Procedure	Juveniles: Good time credit
Status	Signed by Governor		
Statutes Changed	38-2370; 38-2372		
Detail	Juvenile offenders sentenced for minimum terms under the placement matrix are now eligible for good time credits.		

Juveniles: Parents participation in programs 16

SB329	2014 Session Law Chapter:	SB329 NOTE	SB329 Summary
Effective Date	7/1/2014	Criminal Procedure	Juvenile Offenders: Parent Program Involv
Status	Signed by Governor		
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.		

Juveniles: Placement Matrix 128

HB2588	2014 Session Law Chapter:	HB2588 NOTE	HB2588 Summary
Effective Date	7/1/2014	Criminal Procedure	Juveniles: Placement Matrix
Status	Signed by Governor		
Statutes Changed	38-2369		
Detail	The placement matrix category of serious offender II now includes only offenders adjudicated for a nondrug SL7, person felony with one prior felony adjudication. SL8, 9, and 10 offenses are placed in a new category "serious offender III." Placement options for the serious offender III are the same as for serious offender II, except a serious offender III may be committed to a juvenile correctional facility only with a finding by the court of substantial and compelling reasons to impose a departure sentence. All placement matrix options for all levels of chronic offenders include the same departure provision. This is a change from including SL7-10 all being in the serious offender II category with the potential of placement of the offender into the juvenile correctional facility without a departure hearing.		

Juveniles: Risk Assessment Tools 127

HB2588	2014 Session Law Chapter:	HB2588 NOTE	HB2588 Summary
Effective Date	7/1/2014	Criminal Procedure	Juvenile: Risk Assessment Tools
Status	Signed by Governor		
Statutes Changed	21-6607; 38-2360		
Detail	When a presentence investigation and report from a court services officer is ordered by a court after adjudication, it must include a summary of the results from a standardized risk assessment tool or instrument. All existing report requirements remain as well. The Correctional Supervision Fund statute is amended to allow funds to be used for the implementation and training for a standardized risk assessment tool or instrument for juveniles adjudicated as juvenile offenders and for juvenile offender supervision programs. The risk assessment will become mandatory statewide.		

Criminal Procedure

Juveniles: Tried as adult 130

HB2588	2014 Session Law Chapter:	HB2588 NOTE	HB2588 Summary
Effective Date	7/1/2014	Criminal Procedure	Juveniles: Tried as adult
Status	Signed by Governor		
Statutes Changed	38-2347		
Detail	The minimum age for a child to be tried as an adult in a criminal case is changed from 10 to 12 years of age.		

Probation and Parole Sanctions 52

HB2448	2014 Session Law Chapter:	HB2448 NOTE	HB2448 Summary
Effective Date	7/1/2014	Criminal Procedure	Probation and Parole
Status	Signed by Governor		
Statutes Changed	21-6604; 21-6608; 22-3716		
Detail	Amends and clarifies several provisions of the Justice Reinvestment Act passed last year relating to sentencing, probation, and postrelease supervision statutes. Clarifies the 60 day local jail sanction a judge may impose for felony parolees or probationers is separate from other condition violation sanctions shall not be imposed at the same time as the other sanctions. Provides for a similar sanction of up to 60 days persons on probation for misdemeanor violators. Clarifies the intermediate sanctions established last year that may be imposed by a court services officer or community corrections officer are applicable only if the original crime of conviction was a felony, not including felony DUI, test refusal, domestic battery, forgery, and cruelty to animals convictions (those sentences are all served in local jails, not DOC). Sanctions for those convicted of felony DUI, test refusal, domestic battery, forgery, and cruelty to animals convictions, only the sanctions for misdemeanor violators may imposed. Makes the 2-3 day confinement quick dip sanctions available for misdemeanor violators, similar to that allowed for felony violators. Clarifies prior confinement time is not included in the 120-180 day incarceration intermediate sanctions. Intermediate sanctions are to be imposed concurrently if the offender is serving multiple probation terms concurrently. Clarifies the violation sanctions apply to any violation occurring on or after July 1, 2013, regardless of the date the underlying crime was committed or the offender was sentenced for the underlying crime. Amends the provision implemented last year allowing early discharge of low-risk offenders from supervision by changing the standard for denial by the court of such discharge from "substantial and compelling" to "clear and convincing evidence" that denial serves community safety interests. Makes several non-substantive amendments including statutory references to provide clarity.		

Criminal Procedure**Sentencing: Life without parole: Clarification** 139

HB2490	2014 Session Law Chapter:	HB2490 NOTE	HB2490 Summary
Effective Date	7/1/2014	Criminal Procedure	Sentencing: Life without parole: Clarificati
Status	Signed by Governor		
Statutes Changed	22-3728		
Detail	Clarifies an inmate sentenced to imprisonment for life without the possibility of parole pursuant to K.S.A. 21-6617 is never eligible for parole. An offender convicted of KSA 21-5402 (a)(2), first degree murder committed in the commission, attempt, or flight from an inherently dangerous felony, is included in the rule that when eligible for parole from a 25 year minimum sentence they cannot have the 25 year minimum reduced by good time credits.		

Sentencing: Life without possibility of parole 134

HB2490	2014 Session Law Chapter:	HB2490 NOTE	HB2490 Summary
Effective Date	7/1/2014	Criminal Procedure	Sentencing: Life without parole: Limitation
Status	Signed by Governor		
Statutes Changed			
Detail	Persons sentenced to life without possibility for parole are not eligible for sentence commutation, functional incapacitation release, parole, or out-of-state travel as a material witness.		

Speedy Trial 115

HB2389	2014 Session Law Chapter:	HB2389 NOTE	HB2389 Summary
Effective Date	7/1/2014	Criminal Procedure	Speedy Trial
Status	Signed by Governor		
Statutes Changed	22-3402		
Detail	Raises speedy trial deadline from 90 days to 150 days after arraignment.		

Statute of Limitation 59

HB2448	2014 Session Law Chapter:	HB2448 NOTE	HB2448 Summary
Effective Date	7/1/2014	Criminal Procedure	Statute of Limitation
Status	Signed by Governor		
Statutes Changed	21-5107		
Detail	Adds a provision back into the statute defining when the statute of limitation period begins.		

Criminal Procedure

Statute of Limitations for Juveniles 78

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

Effective Date 7/1/2014 Criminal Procedure Statute of Limitations for Juveniles

Status Signed by Governor

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.

Traffic: Attempt to Elude 32

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

Effective Date 7/1/2014 Criminal Procedure Sentencing

Status Signed by Governor

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.

Trial: Crime punishable by life without parole 137

[HB2490](#) 2014 Session Law Chapter: [HB2490 NOTE](#) [HB2490 Summary](#)

Effective Date 7/1/2014 Criminal Procedure Trial: Crime punishable by life without par

Status Signed by Governor

Statutes Changed 22-3405

Detail The presence of the defendant is required at every stage of trial in a prosecution for a crime punishable by life without the possibility of parole. It is already required in death penalty cases.

Trial: Out of state witness requests 138

[HB2490](#) 2014 Session Law Chapter: [HB2490 NOTE](#) [HB2490 Summary](#)

Effective Date 7/1/2014 Criminal Procedure Trial: Crime punishable by life without par

Status Signed by Governor

Statutes Changed 22-4210

Detail A person held in Kansas under a sentence of life without parole is excluded from the Uniform Rendition of Prisoners as Witnesses in Criminal Proceedings Act which is utilized when a person in custody is requested to testify in another state. Persons confined as mentally ill, in need of mental treatment, or under sentence of death are already excluded. This does not effect in state requests.

Criminal Procedure

Venue of Crimes Committed with Electronic Devices 30

HB2478	2014 Session Law Chapter: 32	HB2478 NOTE	HB2478 Summary
Effective Date	7/1/2014	Criminal Procedure	Venue
Status	Signed by Governor		
Statutes Changed	New		
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.		

Victim Notification by DOC 1

SB248	2014 Session Law Chapter: 5	SB248 NOTE	SB248 Summary
Effective Date	7/1/2014	Criminal Procedure	Victim Notification
Status	Signed by Governor		
Statutes Changed	22-3303; 22-3305; 22-3428; 22-3428a; 22-3430; 22-3431; 22-3727; 22-3727a		
Detail	DOC is required to provide notice to victims at least 14 working days prior to an inmate's release, unless the release is due to court order, escape, or death. The bill also transfers responsibility for victim notification of a defendant's commitment as incompetent to stand trial or not guilty by reason of mental disease or defect, as well as related hearings, from the DOC to the district or county attorney.		

Criminal Procedure**Warrant affidavits** 11

HB2389	2014 Session Law Chapter:	HB2389 NOTE	HB2389 Summary
Effective Date	7/1/2014	Criminal Procedure	Warrants, Search and Arrest
Status	Signed by Governor		
Statutes Changed	22-2302; 22-2502		
Detail	<p>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.</p>		

Firearms/Weapons**Felons: Criminal Possession by Convicted Felon** 102

HB2578	2014 Session Law Chapter:	97	HB2578 NOTE	HB2578 Summary
Effective Date	7/1/2014	Firearms/Weapons	Criminal Possession of a Firearm by a Conv	
Status	Signed by Governor			
Statutes Changed	21-6304			
Detail	<p>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.</p>			

Firearms/Weapons

Firearms: Certification of Transfer for Class III Firearms

93

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

Effective Date 7/1/2014 Firearms/Weapons Certification of Transfer

Status Signed by Governor

Statutes Changed New

Detail Applications for certification of class III firearms transfers by the chief law enforcement officer, as required by federal law, must be granted within 15 days, unless a condition exists that prevents the chief law enforcement officer from certifying the transfer, as specified in 27 CFR 479.85. If the request for certification is not granted, the chief law enforcement officer, or the officer's designee, must provide the applicant with written notification of the denial of certification and the reason for the denial. Applicants may appeal the denial to the district court. After reviewing the denial of certification, if the district court found the applicant was not prohibited by state or federal law from receiving the firearm and there is no pending legal or administrative proceeding against the applicant that could result in such prohibition, the court would be required to order the chief law enforcement officer to issue the certification. Chief law enforcement officers certifying and approving transfers are not liable for any act committed by another person with the firearm after the transfer.

Firearms: Concealed carry

103

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

Effective Date 7/1/2014 Firearms/Weapons Concealed carry

Status Signed by Governor

Statutes Changed 75-7c04

Detail Persons adjudicated as a juvenile for crimes that if committed as an adult would disqualify them for possession of a CCH permit is also disqualifying.

Firearms: Employee with CCH Permit

95

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

Effective Date 7/1/2014 Firearms/Weapons Employees with CCH Permit

Status Signed by Governor

Statutes Changed New

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: Gun Buy Back Programs 94

HB2578	2014 Session Law Chapter: 97	HB2578 NOTE	HB2578 Summary
Effective Date	7/1/2014	Firearms/Weapons	Buy Back Programs
Status	Signed by Governor		
Statutes Changed	New		
Detail	Gun buy back programs using any form of tax dollars or public funds is prohibited. They can still be conducted, but the funds for them would have to come from non-government sources.		

Firearms: Intoxication 97

HB2578	2014 Session Law Chapter: 97	HB2578 NOTE	HB2578 Summary
Effective Date	7/1/2014	Firearms/Weapons	Carrying While Intoxicated
Status	Signed by Governor		
Statutes Changed	New 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	Firearms/Weapons	Juveniles: Firearms
Status	Signed by Governor		
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: Liability Exemption for Actions of Employee with CCH Permit 120

HB2140	2014 Session Law Chapter: 97	HB2140 NOTE	HB2140 Summary
Effective Date	7/1/2014	Firearms/Weapons	Liability for Acts by Employees with CCH P
Status	Signed by Governor		
Statutes Changed	New		
Detail	Employers are granted liability immunity for the acts of any employee who is a CCH permit holder involving a firearm they choose to carry in the workplace. Actions by employees who are required to possess firearms during the course of their duties are exempt from this provision. This bill amends HB2578 section 4.		

Firearms/Weapons

Firearms: Off-Duty and LEOSA Qualified Officers 98

HB2140	2014 Session Law Chapter:	HB2140 NOTE	HB2140 Summary
Effective Date	7/1/2014	Firearms/Weapons	Retired and Out of State LEO (LEOSA)
Status	Signed by Governor		
Statutes Changed	New and 21-6302; 21-6309; 75-7c10; 75-7c20		
Detail	<p>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.</p>		

Firearms: Open Carry 96

HB2578	2014 Session Law Chapter:	97	HB2578 NOTE	HB2578 Summary
Effective Date	7/1/2014	Firearms/Weapons	Open Carry	
Status	Signed by Governor			
Statutes Changed	12-16,124			
Detail	<p>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.</p>			

Knives 99

HB2578	2014 Session Law Chapter:	97	HB2578 NOTE	HB2578 Summary
Effective Date	7/1/2014	Firearms/Weapons	Knives	
Status	Signed by Governor			
Statutes Changed	12-16,134; 75-7c20			
Detail	<p>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 must be allowed into such buildings.</p>			

Firearms/Weapons**Weapons, Criminal Use** 100

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

Effective Date 7/1/2014 Firearms/Weapons Criminal Use of Weapons

Status Signed by Governor

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 Firearms/Weapons Disposition of Seized Weapons

Status Signed by Governor

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 Schedules** 6

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

Effective Date 7/1/2014 Drug Enforcement Drug Schedules

Status Signed by Governor

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.

DUI**DUI: Ignition Interlock** 13

[HB2479](#) 2014 Session Law Chapter: [67](#) [HB2479 NOTE](#) [HB2479 Summary](#)

Effective Date 7/1/2014 DUI Ignition Interlock

Status Signed by Governor

Statutes Changed 8-1015

Detail Removes sunset from ignition interlock requirements for DUI related convictions.

DUI**DUI: Test Refusal or Failure Reinstatement Fee** 124

HB2446	2014 Session Law Chapter:	HB2446 NOTE	HB2446 Summary
Effective Date	7/1/2014	DUI	Test Refusal or Failure Reinstatement Fee
Status	Signed by Governor		
Statutes Changed	8-241		
Detail	Reinstates higher fees for DUI test refusal or failure examinations that expired July 1, 2013. The additional funds go to the courts for non-judicial salaries. Sets the new sunset for July 1, 2018.		

Traffic Enforcement**Traffic: Farm machinery and equipment** 4

HB2715	2014 Session Law Chapter: 14	HB2715 NOTE	HB2715 Summary
Effective Date	7/1/2014	Traffic Enforcement	Farm
Status	Signed by Governor		
Statutes Changed	New; 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.		

Traffic: Hay Haulers 109

SB344	2014 Session Law Chapter: 74	SB344 NOTE	SB344 Summary
Effective Date	4/24/2014	Traffic Enforcement	Hay Haulers, Drought Emergency
Status	Signed by Governor		
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 Enforcement

Traffic: Oversize Vehicle 33

SB344	2014 Session Law Chapter: 74	SB344 NOTE	SB344 Summary
Effective Date	4/24/2014	Traffic Enforcement	Oversize vehicles
Status	Signed by Governor		
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.		

Traffic: Suspended DL; Failure to appear 14

HB2479	2014 Session Law Chapter: 67	HB2479 NOTE	HB2479 Summary
Effective Date	7/1/2014	Traffic Enforcement	Suspended DL: Fail to appear
Status	Signed by Governor		
Statutes Changed	8-2110; repeals 8-2110a		
Detail	Amends the provision passed last year allowing a person suspended only for failure to appear to apply for a restricted license under certain conditions. This amendment will allow the same restricted driver's license access for a person whose license expired during the period of suspension.		

Traffic, Other

DUI: Breath Testing Equipment 3

HB2303	2014 Session Law Chapter: 1	HB2303 NOTE	HB2303 Summary
Effective Date	7/1/2014	Traffic, Other	Equipment
Status	Signed by Governor		
Statutes Changed	8-241; 75-5660		
Detail	Creates increased funding for the KDHE DUI equipment fund through increases in the reinstatement fees for DUI related DL sanctions. This is the fund for breath testing equipment. Makes adjustments in the fund distribution to keep the funds to various agencies approximately the same dollars. Those include the KBI forensic laboratory and materials fee fund.		

Traffic, Other

School Crossing Guards				37
HB2420	2014 Session Law Chapter:	60	HB2420 NOTE	HB2420 Summary
Effective Date	4/24/2014	Traffic, Other	School Crossing Guards	
Status	Signed by Governor			
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.			
Traffic: Commercial Vehicle: Driver's License Testing				122
HB2693	2014 Session Law Chapter:		HB2693 NOTE	HB2693 Summary
Effective Date	7/1/2014	Traffic, Other	Driver's License: CDL	
Status	Signed by Governor			
Statutes Changed	8-2,133; 74-2015			
Detail	Authorizes community colleges and technical colleges, upon request, to administer the commercial driver's license skills test and requires a priority status to any community or technical college with a truck driver training course in place on July 1, 2014. The testing must comply with 49 CFR Part 383 and with an agreement between the requesting college and the state. The DMV must adopt rules and regulations to implement the testing procedure by January 1, 2015.			
Traffic: Commercial Vehicle: Intrastate 26M or less				119
SB273	2014 Session Law Chapter:		SB273 NOTE	SB273 Summary
Effective Date	7/1/2014	Traffic, Other	Commercial Vehicles: Intrastate 26M and I	
Status	Signed by Governor			
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.			

Traffic, Other**Traffic: Commercial Vehicles: Tank Vehicles** 35

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

Effective Date 7/1/2014 Traffic, Other Tank Vehicles

Status Signed by Governor

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: Handicap permits 36

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

Effective Date 7/1/2014 Traffic, Other Handicap permits

Status Signed by Governor

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.

Traffic: Registration plates: Specialty 38

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

Effective Date 7/1/2014 Traffic, Other License tags

Status Signed by Governor

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.

Traffic, Other**Traffic: Salvage vehicle** 107[HB2728](#) 2014 Session Law Chapter: [58](#) [HB2728 NOTE](#) [HB2728 Summary](#)

Effective Date 7/1/2014 Traffic, Other Salvage Vehicle, permit to operate; title

Status Signed by Governor

Statutes Changed 8-198

Detail Allows application for a salvage title 30 or more days after the damage settlement agreement if the insurance company is unable to obtain voluntary assignment of the title from the owner of the vehicle. Requires an affidavit stating 1) The owner has not transferred title to the insurance company; 2) The damage settlement is documented; 3) any liens have been released; 4) the vehicle is in the possession of the insurance company; and 5) notice has been provided to the owner 30 days prior to the application and the owner has not provided a written objection. Also removes a requirement for the permit to operate a salvage vehicle on the road be in triplicate.

VIN Inspections 39[SB351](#) 2014 Session Law Chapter: [21](#) [SB351 NOTE](#) [SB351 Summary](#)

Effective Date 7/1/2014 Traffic, Other VIN Inspections

Status Signed by Governor

Statutes Changed 8-116a

Detail Amends VIN inspection laws to remove mandate to arrest person in possession of vehicle with bad VIN; clarifies disposition of such vehicle; provides liability protection; clarifies fees to local LE are to be used for LE purposes and cannot supplant normal budget.

Alcohol**Alcohol: Farm winery tastings** 111[HB2223](#) 2014 Session Law Chapter: [75](#) [HB2223 NOTE](#) [HB2223 Summary](#)

Effective Date 4/24/2014 Alcohol Tastings

Status Signed by Governor

Statutes Changed 41-308d

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

Alcohol: Homemade fermented beverages 34[HB2223](#) 2014 Session Law Chapter: [75](#) [HB2223 NOTE](#) [HB2223 Summary](#)

Effective Date 4/24/2014 Alcohol Homemade fermented beverage

Status Signed by Governor

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

Alcohol: Licensee qualifications 112

HB2223	2014 Session Law Chapter: 75	HB2223 NOTE	HB2223 Summary
Effective Date	4/24/2014	Alcohol	Licensee qualifications
Status	Signed by Governor		
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.		

Alcohol: Microbrewery production limits 110

HB2223	2014 Session Law Chapter: 75	HB2223 NOTE	HB2223 Summary
Effective Date	4/24/2014	Alcohol	Microbreweries
Status	Signed by Governor		
Statutes Changed	41-308b		
Detail	The amount of allowable production by a microbrewery is raised from 15,000 to 30,000 barrels of beer per year.		

Forfeiture

Terrorism, Civil Forfeiture 144

HB2463	2014 Session Law Chapter: 51	HB2463 NOTE	HB2463 Summary
Effective Date	7/1/2014	Forfeiture	Terrorism
Status	Signed by Governor		
Statutes Changed	60-4104, repeals 60-4104b		
Detail	Establishes civil cause of action for a person injured as a result of the crimes of terrorism, furtherance of terrorism, or illegal use of weapons of mass destruction. The action can be taken against the person who engaged in the conduct and may be entitled to recover the greater of \$10,000 or three times the actual damages the plaintiff sustained, plus costs and attorney's fees. The victim can request the Attorney General file the case on the victim's behalf.		

Offender Registration

Offender Registration

Offender Registration: Cleanup				125
SB20	2014 Session Law Chapter:		SB20 NOTE	SB20 Summary
Effective Date	7/1/2014	Offender Registration	Procedure Cleanup	
Status	Signed by Governor			
Statutes Changed	22-4902; 22-4903; 22-4904; 22-4905; 22-4906; and 22-4907			
Detail	<p>Corrects, clarifies, and adds effective dates for registration requirements based on when the original offenses were codified; corrects an inaccurate statutory reference to aggravated incest; removes the requirement for registration for conviction of involuntary manslaughter while driving under the influence which was inadvertently added several years ago; clarifies registration requirements for offenders in the custody of DOC correctional facilities and prior to the offender being discharged, paroled, furloughed, or released on work or school release; strikes some language concerning "the duration of registration" that has caused confusion as to how long an offender must register; provides that registration is complete even when the offender does not remit the registration fee, and failure to remit full payment within 15 days of registration is a class A misdemeanor or, if within 15 days of the most recent registration 2 or more full payments have not been remitted, a severity level 9, person felony; and amends requirements for providing DNA samples to the Kansas Bureau of Investigation to align the requirements with current KBI practices.</p>			

Offender Registration: Human Trafficking				121
HB2143	2014 Session Law Chapter:		HB2143 NOTE	HB2143 Summary
Effective Date	7/1/2014	Offender Registration	Human Trafficking	
Status	Signed by Governor			
Statutes Changed	22-4902			
Detail	<p>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.</p>			

KPERS

KPERS: 2015 Plan Revisions				40
HB2533	2014 Session Law Chapter:	29	HB2533 NOTE	HB2533 Summary
Effective Date	7/1/2014	KPERS	2015 Plan	
Status	Signed by Governor			
Statutes Changed	74-49,306; 74-49,308; 74-49,313			
Detail	<p>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%.</p>			

KPERS**KPERS: State Employees on Furlough** 70[HB2596](#) 2014 Session Law Chapter: [HB2596 NOTE](#) [HB2596 Summary](#)

Effective Date 7/1/2014 KPERS State Employees on Furlough

Status Signed by Governor

Statutes Changed 74-49,115

Detail Holds harmless both the retirement and disability benefits calculations for any state employee member of the Kansas Public Employees Retirement System (KPERS), the Kansas Police and Fireman's (KP&F) Retirement System, or the Retirement System for Judges, if the employee is furloughed or accepted a voluntary reduction in pay during the period of time used for determining benefits.

Other**911 Coordinating Council** 2[SB284](#) 2014 Session Law Chapter: [6](#) [SB284 NOTE](#) [SB284 Summary](#)

Effective Date 7/1/2014 Other Dispatch

Status Signed by Governor

Statutes Changed 12-5363; 12-1563; 12-5364; 12-5367; 12-5377

Detail Changes the Kansas 911 Act by 1) Adding definitions of "911 call" and "911 system operator"; 2) Altering the voting membership by replacing the representative of law enforcement to a representative of the KACP and a representative of the KSA; 3) removing the nonvoting member recommended by KAN-ED; 4) increasing the budget authority of the 911 Coordinating Council from 1.5% to 2.5% of the total 911 fee receipts; and 5) allowing the 911 Coordinating Council to extend the contract of the Local Collection Point Administrator (LCPA) for up to two years without the advice and consent of the Legislative Coordinating Council.

Blue Alert 22[HCR502](#) 2014 Session Law Chapter: [HCR5029 NOTE](#) [HCR5029 Summary](#)

Effective Date Other Blue Alert

Status Passed and properly enrolled

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.

Bond Agents: Felons Disqualified 19[SB256](#) 2014 Session Law Chapter: [90](#) [SB256 NOTE](#) [SB256 Summary](#)

Effective Date 7/1/2014 Other Surety Bonds

Status Signed by Governor

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.

Other

Courts: Docket Fees				108
HB2338	2014 Session Law Chapter:	82	HB2338 NOTE	HB2338 Summary
Effective Date	7/1/2014	Other	Courts: Docket Fees	
Status	Signed by Governor			
Statutes Changed	20-362			
Detail	Several provisions relating to docket fees were revised including the amount of the fees and the distribution. I have included it in this report only to report it made no changes in the \$15 portion of the docket fee designated for funding KLETC.			
Courts: Magistrate Judges				42
HB2065	2014 Session Law Chapter:	71	HB2065 NOTE	HB2065 Summary
Effective Date	7/1/2014	Other	Courts	
Status	Signed by Governor			
Statutes Changed	61-3903; 20-302b; 22-3602; 22-3609a; 38-2273; 38-2382; 59-2401a; 60-2102; 60-210			
Detail	Allows district magistrate judges to conduct felony first appearance hearings; have jurisdiction over uncontested actions for divorce; and jurisdiction over any civil action with the consent of the parties. Clarifies they may hear misdemeanor arraignments. Appeals from district magistrate judges who are members of the bar go directly to the Court of Appeals, rather than to a district judge. Appeals from district magistrate judges who are not members of the bar will continue to be to a district judge. Proceedings that would be on the record before a district judge must be on the record if before a district magistrate judge who is a member of the bar.			
DOC: COBRA Provisions for state DOC employees killed in line of duty				132
HB2537	2014 Session Law Chapter:		HB2537 NOTE	HB2537 Summary
Effective Date	7/1/2014	Other	COBRA Benefits	
Status	Signed by Governor			
Statutes Changed	40-2140			
Detail	Creates new law to require the state to pay premiums for continuing COBRA benefits to a surviving spouse and eligible dependent children in the event of a line of duty death of any state DOC personnel.			
Elections: Party affiliation change				23
HB2210	2014 Session Law Chapter:	2	HB2210 NOTE	HB2210 Summary
Effective Date	7/1/2014	Other	Elections	
Status	Signed by Governor			
Statutes Changed	25-3301; 25-3304			
Detail	Prohibits changing party affiliation from the closing date for filing to the day the primary results are certified.			

Other

EMS: COBRA Provisions for EMS Worker Killed in Line of Duty				61
HB2537	2014 Session Law Chapter:		HB2537 NOTE	HB2537 Summary
Effective Date	7/1/2014	Other	EMS	
Status	Signed by Governor			
Statutes Changed	New			
Detail	Creates new law to require municipalities (city or county) to pay premiums for continuing COBRA benefits to a surviving spouse and eligible dependent children in the event of a line of duty death of any EMS personnel.			

Forensic Labs				43
HB2143	2014 Session Law Chapter:	36	HB2143 NOTE	HB2143 Summary
Effective Date	7/1/2014	Other	Forensic Labs	
Status	Signed by Governor			
Statutes Changed	28-176			
Detail	Forensic audio and video examination services are added to lab analysis subject to the \$400 court cost allowed to be imposed on persons convicted, adjudicated or diverted. Permits those costs collected to be deposited into the designated fund of the entity providing such services. The Garden City Police Department's Computer, Audio, and Video Forensics Laboratory is also added to the qualifying labs for those costs. NOTE: KSA 28-176 as amended in HB2303 section 3 was further amended with technical corrections in section 4 of HB2143.			

Infants: Newborn infant protection act				44
HB2577	2014 Session Law Chapter:	70	HB2577 NOTE	HB2577 Summary
Effective Date	7/1/2014	Other	Newborn child protection act	
Status	Signed by Governor			
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.			

Other

KCJIS Committee 45

[SB402](#) 2014 Session Law Chapter: [46](#) [SB402 NOTE](#) [SB402 Summary](#)

Effective Date 7/1/2014 Other KCJIS

Status Signed by Governor

Statutes Changed 74-5701; 74-5702; 74-5703; 74-5704; 74-5706

Detail Changes the composition of the Kansas Criminal Justice Information System Committee by reducing membership by one; removes the Commissioner of Juvenile Justice and changes the title of on position from the Kansas 911 Providers Association to the Kansas Association of Public Safety Communication Officials. The Committee would elect a chairperson and the Secretary of Administration would serve as co-chairperson. The chairperson would serve a one-year term and the co-chairperson could only vote in cases of a tie. The bill would authorize the Committee to make a connection between each county and the state into a unified electronic information system, if the county meets standards for use of the connection established by the Committee through rules and regulations. Places the authority over the position of Director to the committee. The position is in the unclassified service of the Kansas Civil Service Act. Makes other technical changes.

Open Records Act: Annual Review 46

[HB2182](#) 2014 Session Law Chapter: [72](#) [HB2182 NOTE](#) [HB2182 Summary](#)

Effective Date 7/1/2014 Other Open Records

Status Signed by Governor

Statutes Changed 40-5515; 45-229; 74-99b06

Detail The annual open records exception review. This year several law enforcement related exceptions were reviewed and all were renewed.
KSA 12-2001, concerning information provided to municipalities and political subdivisions; KSA 38-2209, concerning records of children who are the subject of a child in need of care investigation; KSA 45-221(a)(45), concerning records, other than criminal investigation records, which if disclosed would pose a substantial likelihood of revealing security measures that protect systems, facilities, or equipment used in the production, transmission, or distribution of energy, water, or communications services; transportation and sewer or wastewater treatment systems, facilities, or equipment; or private property or persons, if the records are submitted to the agency; KSA 45-221(a)(47), concerning information that would reveal the location of a shelter or a safehouse or similar place where persons are provided protection from abuse or the name, address, location or other contact information of alleged victims of stalking, domestic violence or sexual assault; KSA 65-16,104, concerning methamphetamine precursor recording log information submitted to the Board of Pharmacy; KSA 77-503a, concerning the name, address, or other contact information of alleged victims of crime, abuse, domestic violence, or sexual assault in any required notice or order under the Kansas Administrative Procedure Act.

Other

Records checks; Real Estate Appraisers; Fingerprints 123

HB2580	2014 Session Law Chapter:		HB2580 NOTE	HB2580 Summary
Effective Date	7/1/2014	Other	Records checks, fingerprinting	
Status	Signed by Governor			
Statutes Changed	New and 58-4121			
Detail	Authorizes the Kansas Real Estate Appraisal Board to conduct fingerprint based state and national criminal history records checks on certain license applicants. Local and state law enforcement officers and agencies are required to assist the Board by taking and processing fingerprints of applicants and by releasing records of adult convictions to the Board. Local law enforcement agencies may charge a fee as reimbursement for expenses incurred in taking and processing fingerprints.			

Rooks County Jail Sales Tax 118

SB266	2014 Session Law Chapter:		SB266 NOTE	SB266 Summary
Effective Date	7/1/2014	Other	Rooks County	
Status	Signed by Governor			
Statutes Changed	New			
Detail	Authorizes Rooks County to hold an election to approve a 0.5% local sales tax to fund construct or remodel their jail. The tax sunsets when the jail costs are paid and the tax is excluded from the statute requiring the sales tax to be shared with cities.			

Small Claims Against Government Entity 106

HB2491	2014 Session Law Chapter:	55	HB2491 NOTE	HB2491 Summary
Effective Date	7/1/2014	Other	Small Claims	
Status	Signed by Governor			
Statutes Changed	75-6103			
Detail	When a small claims action falls within the scope of the Tort Claims Act, a lawyer may appear in such action on behalf of any governmental entity, officer, or employee for the sole purpose of filing, briefing, and arguing a motion to dismiss for lack of jurisdiction.			

Other

Taxes				47
HB2047	2014 Session Law Chapter: 37	HB2047 NOTE	HB2047 Summary	
Effective Date	7/1/2014	Other	Taxes	
Status	Signed by Governor			
Statutes Changed	79-2925b			
Detail	Prohibits most municipalities, absent a majority vote and publication of such vote in official county newspapers, from approving annual budgets or other appropriations funded by certain increases in property taxes over the prior year which are in excess of the rate of inflation. Requires all other municipalities, in response to increases in total tangible property valuation, to reduce the amount of tax levied to the prior year's level, except for the inflation allowance; taxes levied on valuation added as a result of new construction; valuation added from property located within newly added jurisdictional territory; valuation added because property has changed in use; and valuation added from certain increased personal property. Also excluded from the computation would be property taxes that had been previously approved by voters; taxes levied to pay principal and interest on bonds; and taxes collected pursuant to the 21.5 mills in state property tax levies. Includes counties, townships, municipal universities, school districts, community colleges, drainage districts, and other taxing units.			
Terrorism, Civil Cause of Action				29
HB2463	2014 Session Law Chapter: 51	HB2463 NOTE	HB2463 Summary	
Effective Date	7/1/2014	Other	Terrorism	
Status	Signed by Governor			
Statutes Changed	New civil statute			
Detail	Establishes civil cause of action for a person injured as a result of the crimes of terrorism, furtherance of terrorism, or illegal use of weapons of mass destruction. The action can be taken against the person who engaged in the conduct and may be entitled to recover the greater of \$10,000 or three times the actual damages the plaintiff sustained, plus costs and attorney's fees. The victim can request the Attorney General file the case on the victim's behalf.			
Work Comp: LEO and Firefighters				41
HB2023	2014 Session Law Chapter: 25	HB2023 NOTE	HB2023 Summary	
Effective Date	7/1/2014	Other	Work Comp	
Status	Signed by Governor			
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.			