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MEMORANDUM

To: Senate Committee on Judiciary
From: Office of Revisor of Statutes
Date: March 7, 2024
Subject: Bill Brief for HB 2557

House Bill 2557 expands the definition of “peer support counseling session” in the rules of evidence.

The bill amends K.S.A. 60-473, the section of law that provides certain privilege with respect to peer support counseling sessions. Current law provides that a “peer support counseling session” means any session conducted by a peer support specialist that is called or requested in response to a critical incident or traumatic event involving the personnel of the law enforcement agency, emergency services provider or the Kansas national guard.

This bill changes the definition to read: “Peer support counseling sessions” means any session conducted by a peer support specialist who is contacted regarding a critical incident, traumatic event, professional, personal or social problem or difficult life event where peer counseling assistance and guidance would benefit members of the law enforcement agency, emergency services provider or the Kansas national guard, regardless of how the specialist is contacted, whether the session is conducted in a group or private setting, where the session is requested or conducted or whether the session was conducted using electronic communication.

This new definition will be used in conjunction with the rest of the section, which provides privilege for peer support counseling sessions. Subsection (b) provides that communications made relating to peer support counseling sessions are confidential and may not be disclosed. Subsection (e) provides that notes and records made during such sessions are not public records subject to the open records act, and subsection (f) provides that such communications are not admissible in judicial proceedings and other court-like proceedings.

The bill would take effect from and after publication in the statute book, July 1, 2024.