

## 2012 Kansas Statutes

### **8-1009. Determination by prosecuting attorney of whether diversion agreement to be allowed.** (a)

Upon the filing of a first complaint, indictment or information alleging a person has violated K.S.A. 8-1567, and amendments thereto, or a county resolution which prohibits the acts prohibited by that statute, and prior to conviction thereof, the district attorney or county attorney shall determine whether the defendant shall be allowed to enter into a diversion agreement in accordance with this act.

(b) Upon the filing of a first complaint, citation or notice to appear alleging a person has violated a city ordinance which prohibits the acts prohibited by K.S.A. 8-1567, and amendments thereto, and prior to conviction thereof, the city attorney shall determine whether the defendant shall be allowed to enter into a diversion agreement in accordance with this act.

**History:** L. 1982, ch. 144, § 11; L. 2011, ch. 105, § 11; July 1.

\* Phrase "when the acts prohibited by K.S.A. 8-1567, and amendments thereto, occur concurrently with any such alleged violation," apparently surplusage.

"This act" means chapter 144 of the 1982 Session Laws of Kansas.